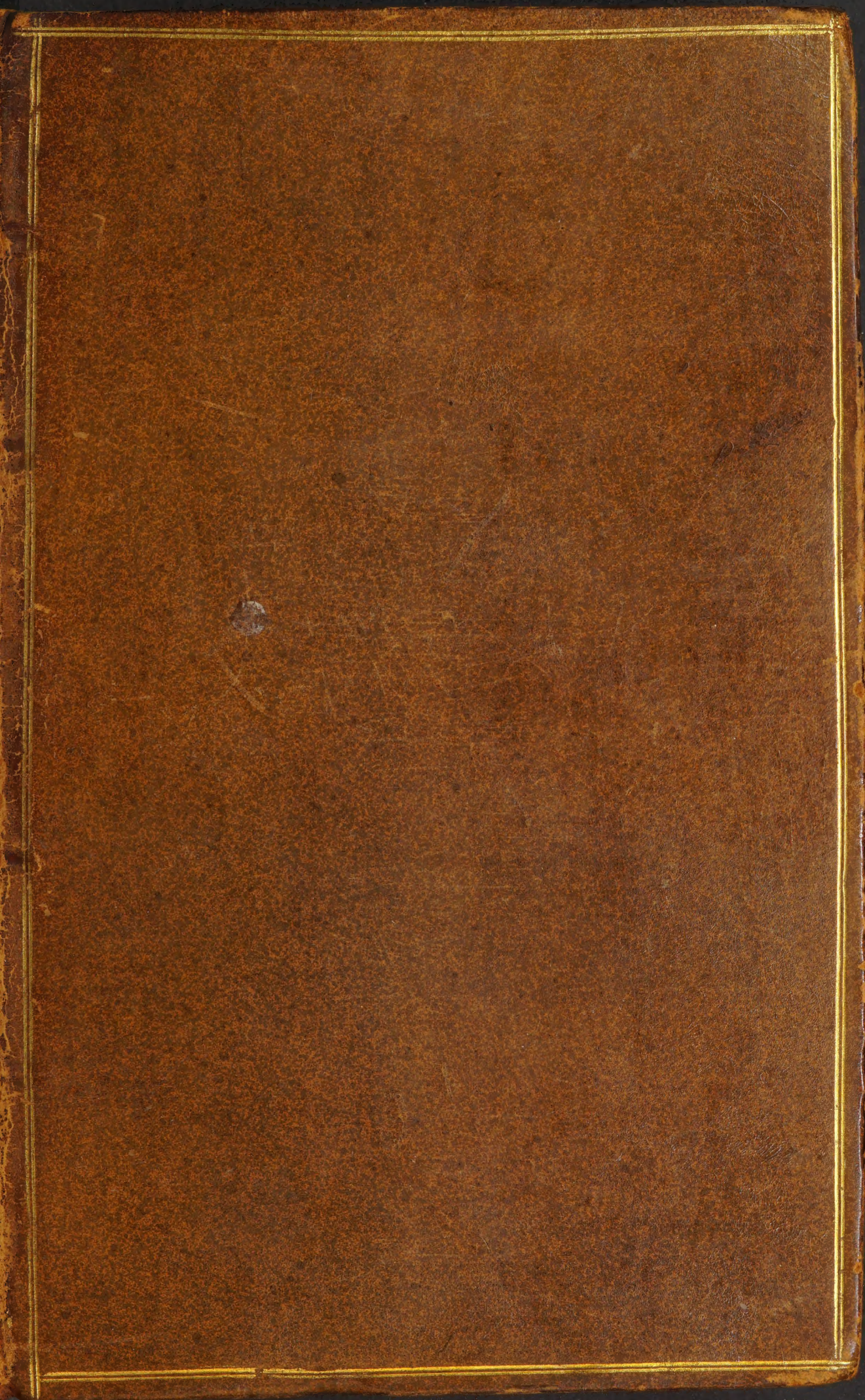




The image shows the spine of an antique book, bound in dark brown leather. The spine is decorated with several rectangular compartments, each containing a central floral or starburst motif in gold tooling. A central label, also in gold tooling, contains the title. The leather shows signs of age and wear, particularly at the edges and corners.

TUNSTALL
ON CICERO
& M. BRUTUS







f 180



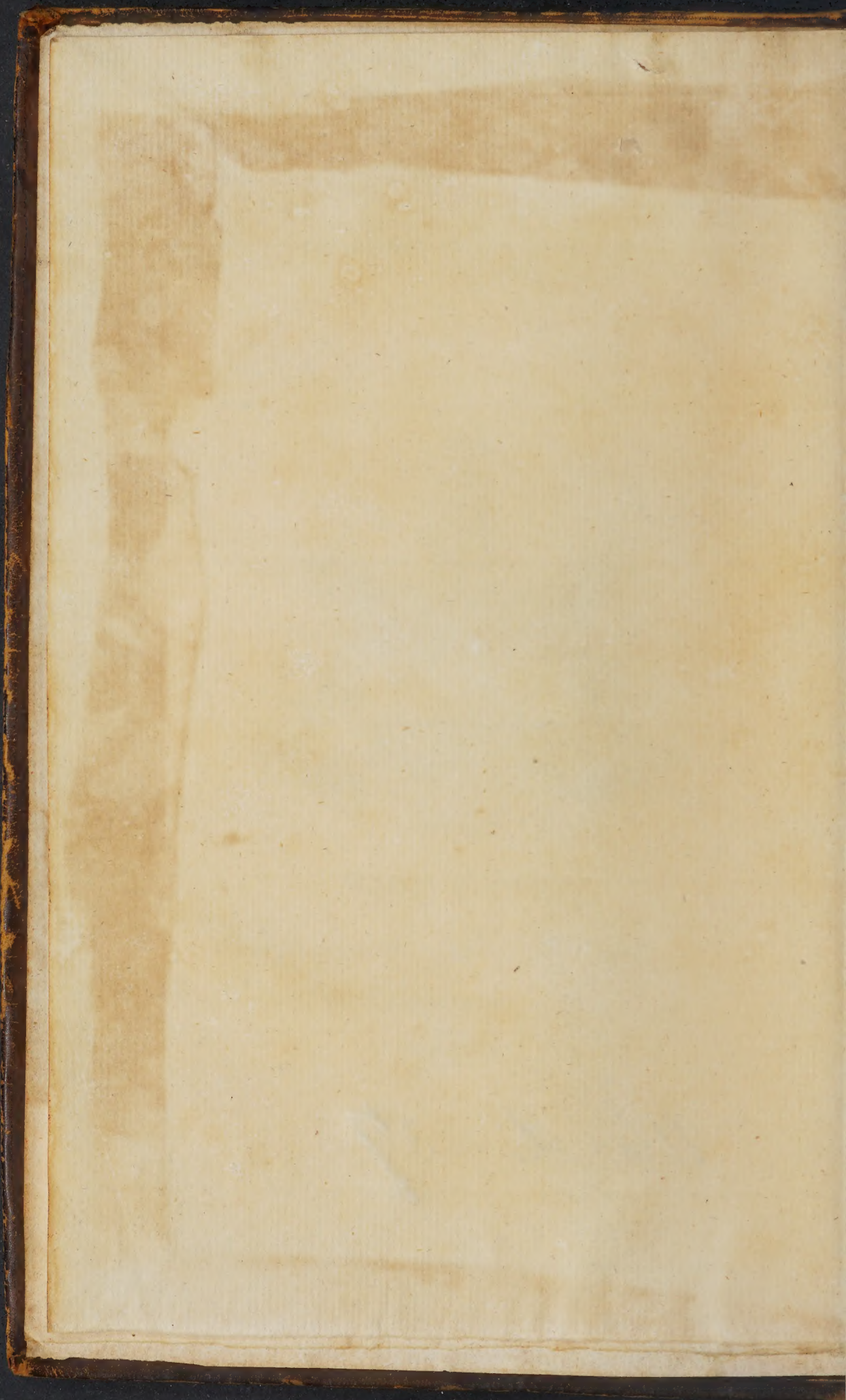
North Library.

Press mark, 116. D. 37.

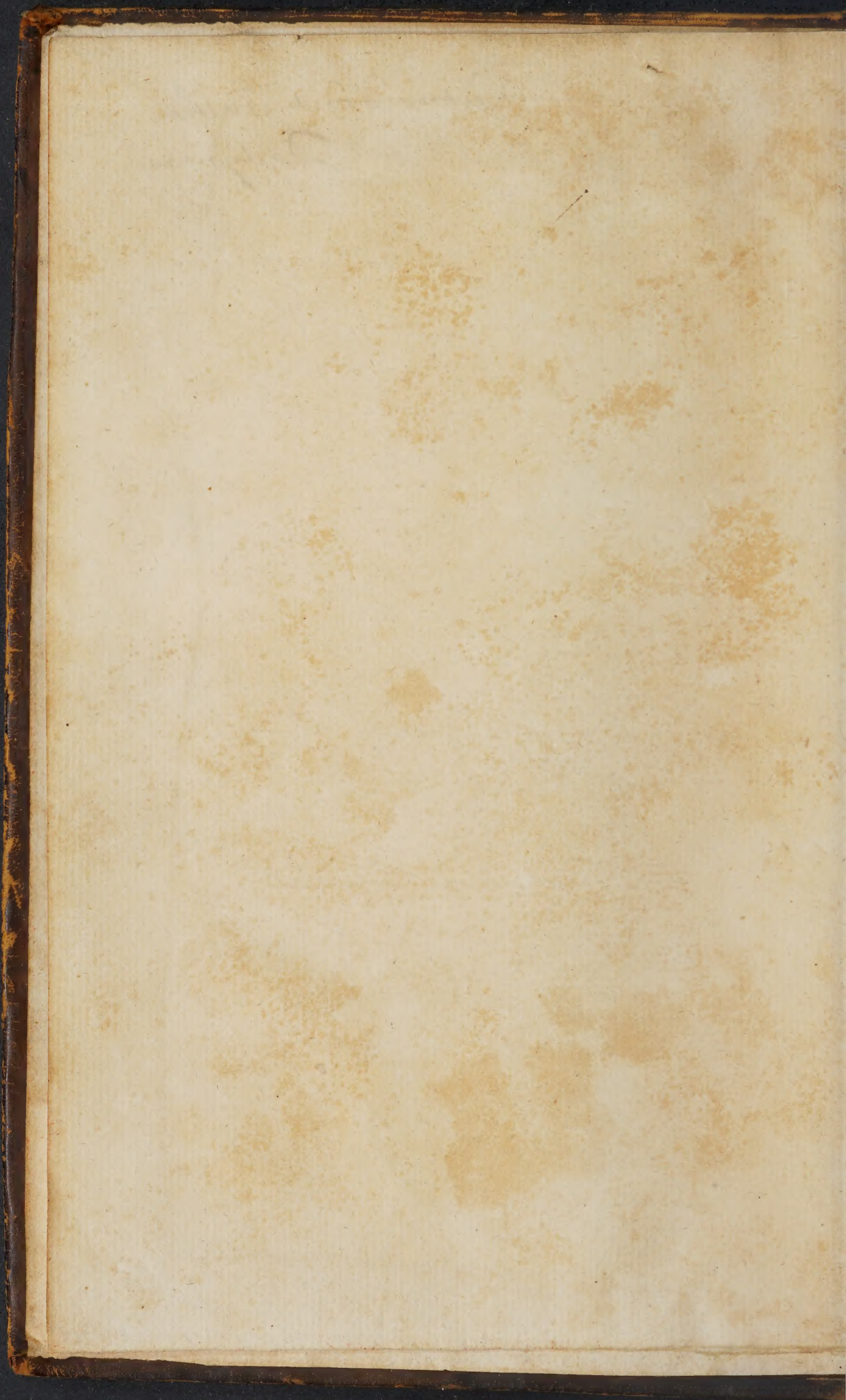
Ent.^d in Catalogue, _____

(1860.)

116-d-37



Dono dedit iulior
Dedipimus.



OBSERVATIONS
On the present
COLLECTION
OF
EPISTLES

BETWEEN
CICERO and M. BRUTUS,

Representing

Several evident Marks of FORGERY in those
EPISTLES; and the true State of many
important Particulars in the Life and Writings
of *CICERO*:

In Answer to the *late Pretences of the Reverend*
Dr. CONYERS MIDDLETON.

By *JAMES TUNSTALL*, B. D.

Fellow of *St. John's College*, and Orator of the
University of Cambridge.

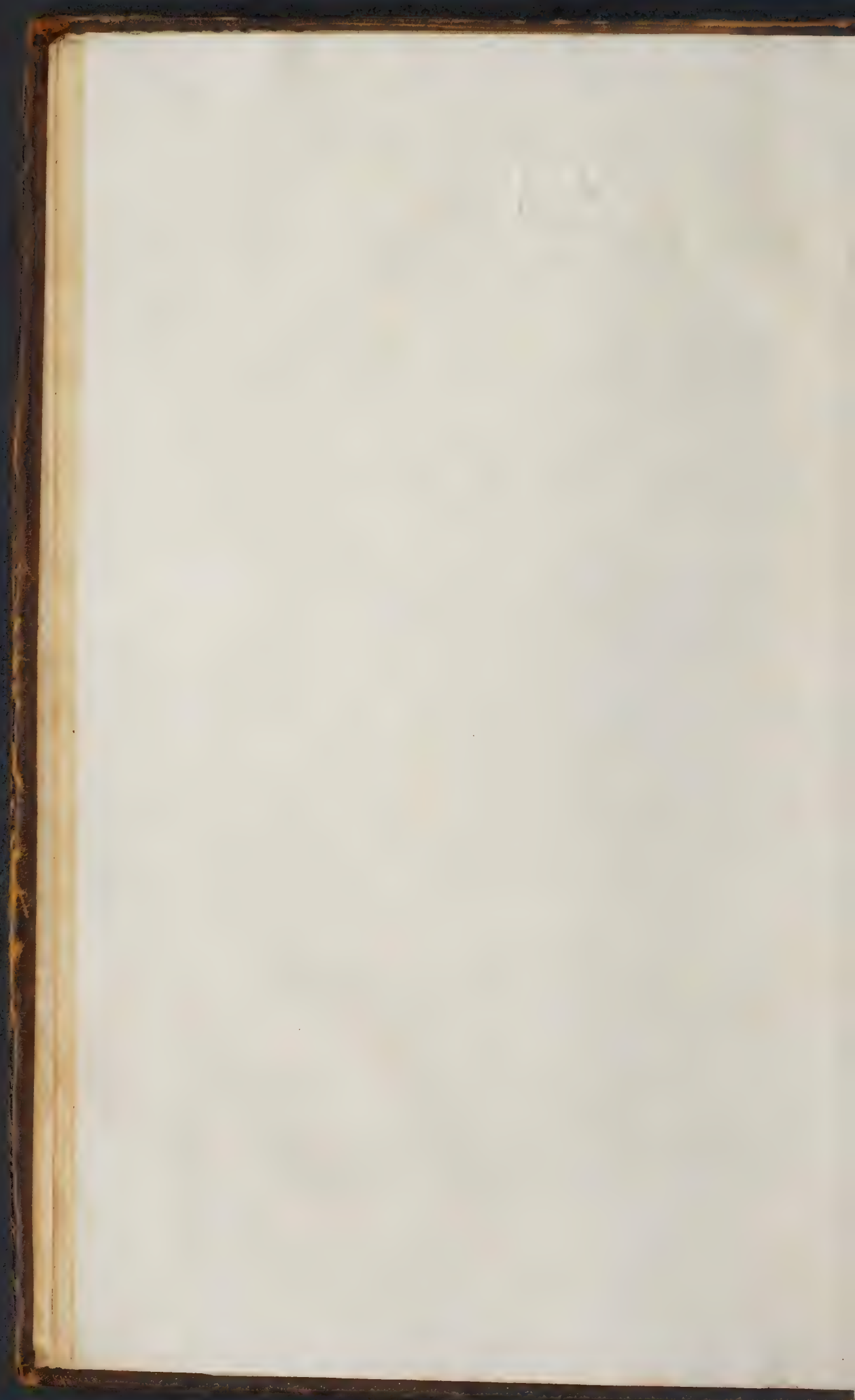
To which is added,

A Letter from the Reverend *Dr. CHAPMAN*
on the Antient *Numeral Characters* of the
ROMAN LEGIONS.

L O N D O N,

Printed for J. and P. KNAPTON, in *Ludgate-street*;
C. HITCH, in *Pater-noster Row*; J. BEECROFT, in
Lombard-street; and W. THURLBOURNE, in *Cambridge.*

MDCCXLIV.



T H E
P R E F A C E.

IT may perhaps be expected, that I should offer some apology for so large a treatise concerning the bare Authority of a few Epistles, which are looked upon by some as of too little significancy to be made the subject of a public debate, and are valued by others for the absolute merits of their sentiment and composition, not for their supposed relation to those great names, under which they have been hitherto received.

BUT whatever opinion is entertained of the Pieces themselves; the reception of an epistolary correspondence, which falsely pretends to the names of *Cicero* and *Brutus*, must needs be attended with a corruption of taste, as well as with mistaken apprehensions of the most important affairs of the *Roman* Republic. The compositions of Writers of such established and unrivaled reputation, and who flourished at that precise period of time when the *Roman* arts and language had arrived at their last perfection and purity, would be naturally referred to as the certain criterion and finished examples of

of propriety and exactness in writing ; and their private Letters especially might be justly expected to deliver, not only the most accurate judgments and descriptions of the customs, constitution, and state of the Republic in general, but the most authentic relations of all those particular transactions and events, the motives of which they could not but perfectly understand, and in the production of which they themselves had the most considerable share.

IT were easy to alledge the practice of many modern Writers, who have occasionally applied the Epistles in question to their respective purposes of Philology, Antiquities, Chronology and History [*a.*] But the sovereign importance of these Epistles to the purpose of a *Roman History* is most remarkably evinced from

[*a.*] Regni instrumentum. Brut. Ep. ad Cic. i. 4. Cic. ad Brut. ib. 15. Sed instrumentum regni delatum ad Lepidum et Antonium, i. e. *Copiae* (ut vulgus loquitur) Caesaris. Budaeus, apud Rob. Steph. Thes. in voc. *Instrumentum*. A writing or instrument of the Estate Royal. Coop. Thes. ibid. — De Interregno Romano, v. P. Manut. in Ep. ad Brut. i. 5. — Rhodii — duas legationes ad Dolabellam miserunt ; et quidem novo exemplo, contra leges ipsorum, prohibentibus iis, qui tum magistratum gerebant. [P. Lentulus, Ep. Fam. xii. 15.] *Quem tamen à Rhodiis exclusum fuisse scripsit*

M. Brutus. [Ep. ad Cic. ii. 4.] Ufferii Annal. ad A. M. 3961. Dolabellam à Tullio et Deiotaro caesum fugatumque fuisse, ad Satrium legatum C. Trebonii scripsit Cythereus quidam ; cujus Graecam ea de re Epistolam ad Ciceronem misit M. Brutus ; — [Brut. Ep. i. 6.] *Sed falsus ille rumor fuit.* Ibid. Brutus, — missis ad Caesarem literis, ut Antonio resisteret ac secum in gratiam rediret hortabatur, [Dio. p. 340.] *licet in suis ad Ciceronem literis longe alius ille spiritus præ se tulerit,* [Ep. Brut. i. 16.] Ibid. — v. Functii tractat. de virili aetate. linguae Latinae, cap. ii. §. 13, 14.

a late

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v

a late celebrated performance, which, *though the Title of it carries nothing more than The History of Cicero's Life, yet might properly enough be called, The History of Cicero's Times* [b]. The learned Author has thought fit to incorporate the greatest part of such useful memoirs of those times into the body of his work; and to depend upon their single evidence, for advancing a multitude of Positions and historical Facts, and for stating the conduct and characters of several eminent Persons; and that in direct *opposition*, not only to general tradition and the concurrent authorities of the best Historians, whether *Latin* or *Greek*; but even to the Epistles and other writings of *Cicero*, which are allowed by all to be undoubtedly genuine. As if this fatherless offspring was not only to be adopted in common with *Cicero's* legitimate issue, but distinguished with that prudent partiality, which is used to supply the want of natural proportion and soundness with an extraordinary measure of parental indulgence.

IT is not to be wondered, that the course of our controversy has afforded me many occasions of exemplifying this observation. For, though *all the Epistles, excepting the first*, which does not bear any certain chronological mark, make pretence of being *written within the compass of*

[b] Pref. to Dr. Middleton's 1741. Quarto.
Life of Cicero, p. xix. Lond.

*four months, from the beginning of April to the end of July [c]; yet, agreeably to their suspicious character, they many times recollect or prophetically anticipate the most considerable events of a period of more than seventeen months, or of the whole interval between the Ides of March, when Cæsar was killed, and August 19th of the following year, when Octavius entered into his Consulship. And as this is a period most distinguished of any in the whole compass of the Roman History, for the variety of its characters and the multiplicity of its events, for those critical and sudden vicissitudes of fortune, which attended the utmost efforts of the friends of Liberty and the last struggles of the expiring Republic; so it possesses a share very fitly proportioned to its importance in *The History of Cicero's Times*.*

IN order therefore to make a complete representation of the historical merits of the Epistles; besides the affairs of *Brutus* and *Cassius* in the Provinces of *Macedonia* and *Syria*, and various incidental questions relating to the customs and constitution of the Republic, and to the times and other circumstances of more private and particular facts; I have been led to consider the state of the public confusions in the city, which ensued upon *Cæsar's* death;

[c] Dr. Middleton's Prefatory *M. T. Cicero to M. Brutus*, Dissertation to the Epistles of p. 125. Lond. 1743.

the motives of *Cicero's* suddenly retiring from the city, when *Brutus* and the accomplices of the murder continued in the greatest height of popularity and power [*d*]; the common enmity of *Cicero* and *Octavius* towards *Antony*, and their intercourse with each other, both before *Cicero's* intended voyage to *Greece*, and after his first return to the city on the *last* of *August*; the mistaken policy and considerations of private safety, which induced *Cicero* to support the interests of *Octavius*, even after the latter had given the most manifest indications of his aspiring to his uncle *Cæsar's* greatness, and of his early resolution to revenge his murder [*e*]; the grounds of *Brutus's* complaints on this head before his leaving *Italy* about the 10th of the following *October*, and of that resentment which he expressed against *Octavius* in his public Speeches [*f*], as well as in his private Letters to *Cicero* and *Atticus*; the honours decreed by *Cicero* to *Octavius* the beginning of the next year, when he was invested with the legal com-

[*d*] Occiso *Caesare*, cum *Reipublica* penes *Brutos* esse et *Cassium*, ac tota civitas se ad eos convertisse videretur, &c. *Nepos* in vitâ *Attic.* Ad delib-

berationes eas, quas habebat [*Antonius*] domi de *Reipublica* principes civitatis adhibebat. *Philipp.* i. in init.

[*e*] Hoc opus, hæc pietas, hæc prima elementa fuerunt *Caesaris*; ulcisci iusta per arma patrem.

Ovid. Fast. l. iii.

[*f*] *Bruti* conciones falsa bent. *Tacit. Annal.* l. 4. c. quidem in *Augustum* probra, 34. sed multa cum acerbitate ha-

mand of his army, and received, in conjunction with the new Consuls, the commission of the war against *Antony* before *Modena*; the conduct and events of the two battles which were fought there, the one on the 15th, the other about the 26th of the following *April*; the state of the city and circumstances of *Octavius* in the interval between *Antony's* flight from *Modena* and his being received by *Lepidus* on the 29th of *May*; and the consequent league of *Octavius* with the united Generals, which introduced his forcible demand of the Consulship, the prosecution of the accomplices of *Cæsar's* murder, and the total alteration of the public establishment.

THE learned Author of *The History of Cicero's Life* declares, that the Epistles are *the best vouchers of what he remarks concerning Cicero and Brutus*, the principal Actors in this scene of affairs; and that they *enable us to form the surest judgment of the different spirit and conduct of the men* [g]. On the other hand, when he comes to vindicate the Epistles themselves; *In Brutus's*, says he, *we see an impatient, querulous, dogmatic manner*; agreeable to the fierceness and haughtiness of his nature: *In Cicero's all the calmness, prudence and management of Brutus's temper, that we should expect from an experienced Statesman, all whose views were bent*

[g] Life of Cic. v. ii. p. 473, 4.

on the preservation of his country; and it is this different spirit, continues he, so agreeable to the characters of the men, which makes the *Epistles* themselves so much admired by all, who read them with any judgment or attention [b]. Thus the *Epistles* are made the main evidences of the different spirit and characters of the men, and again the distinctions of their characters are urged as the grand argument of the truth and particular excellency of the *Epistles*. But since the characters of Persons are the natural result of their actions and conduct; it was necessary to enlarge our historical inquiries into the real conduct of *Cicero* and *Brutus*, as far as they are formally compared in the *Epistles*, from the time of *Cæsar's* death; and my proper business of collecting the scattered remains and of adjusting the times of their original correspondence of Letters gave me the opportunity of carrying the comparison still higher.

THIS correspondence is found to have been regularly carried on through a period of seven years before *Brutus's* last departure out of *Italy*; and therefore very probably supplied the original collection of their Letters, which retained its integrity till after the age of *Nonius Marcellus*, and consisted of eight books. As we may collect from many intimations of true history, that the correspondence was not conti-

[b] Pref. Diff. p. 116.

nued, on *Brutus's* side, after his departure out of *Italy*; so the supposition most favourable to the Epistles still extant is, that the collection distinguished in the Editions with the title of a *first* book was current in *Nonius's* time under the title of a *ninth* book of *Cicero's* Epistles to *Brutus*. Hence the conjecture is natural, that this collection might be intended for a *supplement* to the *eight* books of the original correspondence; but that it did not meet with universal reception *in conjunction* with the other, appears from its being *unknown* when five Epistles of the original correspondence were inserted into the system of the *familiar* Epistles, and from its being joined in an unnatural alliance with a *spurious, supplemental* Epistle, the Epistle to *Octavius* [i], when *Petrarch* first recovered it to the Republic of Letters.—The few Epistles distinguished in the Editions with the title of a *second* book, made their appearance a considerable time after the former were recovered; and this indication of their

[i] *Petrarch*, in a Letter addressed to *Cicero*, alludes to the words of the Epistle to *Octavius*; O — praeceps et calamitose senex! *Petrarch*. op. p. 704. Edit. fol. *Basil.* 1581. O meam calamitosam ac praecipitem senectutem! *Cic. Ep. ad Octav.*—This Epistle pretends to be written to *Octavius*, when he had seized the Consulship, and obtained a Law for the

trial of *Brutus* and *Cassius*. The collection of the Letters of *Cicero's* original correspondence with *Octavius* consisted of *three* books. A Letter of the *second* book appears to have been written after the battles of *Modena*. *M. Tull. ad Caesarem jun. lib. ii.* Quem periisse ita de Rep. merentem Consulem doleo. *Nonius in voce Meret.*

later existence is confirmed by an undisciplined composition and a rudeness of materials, which must necessarily reduce their origine to the lower ages of barbarism.

Among the many instances of falsity, which these Epistles contain, with regard to the time and order of historical facts, some are observed to have taken their rise from the modern disposition of *Cicero's familiar* Epistles. The present system of the *familiar* Epistles was injudiciously compiled from the slender remains of the numerous, independent, collections of *Cicero's* Epistles to *diverse Persons*, which subsisted for many centuries in their original form. The Letters of correspondence between *Cicero* and each particular party were originally joined together in a distinct and separate collection, and disposed according to the order of time, in which they were written by the one party or received by the other. Some of these collections were published while *Cicero* was living, partly without his consent, and partly by his direction to his friend *Atticus*. I have suggested some grounds of suspicion, that the rest were likewise committed to the custody of *Atticus*, who published them after *Cicero's* death; but as I only propose this conjecture to the farther consideration of the learned, the Reader will be pleased to observe, that the merits of our main question concerning the authority of
the

the *suspected* Epistles are not the least affected by its success.

IT is not indeed any part of my concern to determine, whether these Epistles were the productions of an antient or a modern genius. For though I have endeavoured to rectify the mistakes of some modern Antiquarians, concerning the late recovery of several of *Cicero's* pieces and the long disuse of the rest; as well as to evince, by a competent number of examples, the feasibility of a successful forgery in any part of the whole interval between the ages of *Cicero* and *Petrarch*; yet the learned Dr. *Middleton* intirely agrees with me in the opinion, that the *matter and style* of the Epistles themselves are the most certain criterion of their genuine character. To this criterion I will here venture to apply an Epistle of each book; since the Dr. ingenuously professes himself *ready to agree with me* farther, *that if I can prove any one of the Epistles to be forged, he shall make very little difficulty to give up the rest* [k].

CICERO, in an Epistle dated *April 22d*, gives a formal relation, not only of the principal events of both the battles which were fought before *Modena*, but of *Antony's* flight which happened the morning after the second battle [l]. Hence

[k] Pref. Diff. p. 12.

[l] Consules duos bonos quidem, sed duntaxat bonos, amissimus. — Reliquias hostium

Brutus persequitur et Caesar. Ep. ad Brut. i. 3. That the early date of this Letter is right, that is, agreeable to the intention of the

the Dr. himself related, that the second battle of *Modena* happened *two or three days*, and he has since asserted, that it happened *a day or two* after the first battle, which was fought *April 15th [m]*. Now the *familiar* Epistles declare, that the *true Cicero* had not received any authentic account of *Antony's* flight so late as the *5th* of the following *May [n.]* The *suspected Cicero* therefore relates the events of the second battle and the flight of *Antony* about *four days*

the Letter-writer, is evident from the suspected *Cicero's* next Letter dated *May 5th*, which gives an account of *Ventidius's* being adjudged an enemy by the Senate on *April 27th*, for joining *Antony* in his flight from *Modena*. Ep. 5.

[m] Life of *Cic.* v. ii. p. 427. Pref. Diff. p. 84.

[n] Hostibus fufis, spes omnis in te est. *Fugisse* enim ex proelio Mutinensi dicuntur notissimi latronum duces. Ep. Fam. x. 14.—This Letter was written in answer to *Plancus's* (Ep. 9.) in which he gave an account of his having passed the *Rhone* on *April 26th*, in order to relieve *D. Brutus*, who was blocked up in *Modena*. Exercitum a. d. sextum Kal. Maias Rhodanum trajeci, magnis itineribus.—Ipse—celeritate satisfaciam.—Copias adduco et numero et genere et fidelitate firmissimas. While he was continuing his march towards *Modena*, he received the first news of the second battle and of *D. Brutus's*

being freed from the siege. Cum Rhodanum copias trajecissem, —ipse iter ad Mutinam dirigerem, in itinere de proelio facto, Brutoque et Mutina obsidione liberatis audiui. Ep. 11. *Plancus's* former Letter, written after he had passed the *Rhone*, was received by *Cicero* two days before any news of the second battle arrived at *Rome*. O gratam famam, biduo ante victoriam, de subsidio tuo, de studio, de celeritate, de copiis. Ep. 14. Whence it is probable, that this news arrived about *May 5th*, but brought no particulars concerning *Antony's* flight. It is remarkable that the *suspected Cicero*, in a Letter dated the same *May 5th*, copies the expression of the *true Cicero*, in mentioning *Antony's* flight as already known. Quantopere autem intersit opprimi Dolabellam, profecto intelligis; cum ut sceleris poenas persolvat, tum ne sit, quo se latronum duces ex Mutinensi fuga conferant. Ep. ad Brut. i. 5.

before

before that battle was actually fought, and *thirteen* days before it was certainly known at *Rome* that *Antony* was fled.—The Dr. is here desired to recur to his critical expedient of reducing the dates of these Epistles to a conformity with their facts; and a reconciliation of the interfering accounts would be the more acceptable to the curious, because the second battle of *Modena* is the *Æra*, which the Historians generally mean to use in stating the precise duration of *Augustus's* reign.

IN another Epistle, under *Cicero's* name, there is this remarkable period. *Omnia quae severè decreta sunt hoc tumultu, si aut quo die dixi sententiam perfectà essent, et non in diem ex die dilata, aut quo ex tempore suscepta sunt ut agerentur, non tardata et procrastinata, bellum jam nullum haberemus* [o]. I shall not here insist on that assemblage of Tautologies, by which this period is eked out to a spiritless and unmeaning extent; but the expression *in diem ex die differre*, as it signifies to *put off from day to day* [p], can hardly be matched by any example taken from the monuments of purer antiquity. The *Latins* used *in dies* or *in dies singulos* to express *day after day*; but the phrase *de die in diem*, which is nearest akin to *in diem ex die*, is referred by the best judges to the ages of depraved Latinity, and observed to be taken into common

[o] Ep. ad Brut. ii. 1.

[p] *Mid. Ep. of Cic.* p. 51.
use

use from the *Latin Vulgate* [q]. In the mean time I am far from *professing* myself a *perfect master of the whole extent of the Latin tongue* [r]; and the Dr. will equally oblige me by contributing any new information, or by allowing me to have *produced a phrase of a later origine and use than the age of Cicero*, which, he says, *is the most effectual way of attacking the Epistles on the article of style* [s].

I NEED only farther advertise the Reader in this place, that in making reference to the Epistles I observe the distinction of the two books, and the order of the Epistles contained in each book, which have generally obtained in the Copies and principal Editions; and that not so much upon the authority of long prescription, as because I

[q] Visum fuit—aliquid monere de formula ex vulgata scripturae versione in usum familiarem deducta, *de die in diem*. Esse Hebraïsmum nemo ignorat, nisi qui hospes est in sacris literis. Apud Latinos quidem inveniuntur, quae huic videntur similia, sed revera non sunt. Liv. v. 48. *Diem de die prospectans*, hoc est, multos dies expectando traducens. *In dies*

etiam dicunt, et *in diem*, sed sensu diversissimo. Illud aequivalet vulgato, *de die in diem*: hoc est, *ad unum diem, non ultra diem*. Prius confirmat Cicero, Phil. i. c. 2. *Cum serperet in urbe infinitum malum, idque manaret in dies latius*: et Ep. Fam. vi. 4. *In dies singulos magis magisque opinio hominum confirmatur*. Posterius illustrat Ovidius, Metam. ii. 47.

—— Currus petit ille paternos,

Inque diem alipedum jus et moderamen equorum.

Adfinis huic phrasis est *in diem vivere*, Phil. ii. 34. Terentii verò *in diem*, Eunuch. Act. v. Scen. vii. 9. est, Donato interpretante, *in longam dilatio-*

nem. Christoph. Cellar. de Barbarism. et Idiotism. Serm. Latin. c. 8. de Latinit. prolapsa.

[r] *Mid.* Pref. Diff. p. 113.

[s] *Ib.* p. 115.

am

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am persuaded, that the Epistles of the second book were later in being than those of the first, and that the order of the Epistles of each book is agreeable to the real intention of their respective Authors. However, for the use of those who may be willing to compare what I have objected to the Epistles with what is offered in their defence, I subjoin a table, by which they are referred to each Epistle in the Dr's late Edition.

Ed. Gron. L. Bat. 1692. Ed. Hag. Com. 1725.				Ed. Midd. Lond. 1743.				Ed. Gron. L. Bat. 1692. Ed. Hag. Com. 1725.				Ed. Midd. Lond. 1743.			
Lib.	Ep.	Ep.	Page	Lib.	Ep.	Ep.	Page	Lib.	Ep.	Ep.	Page	Lib.	Ep.	Ep.	Page
I.	1	1	2	I.	14	20	136	I.	14	20	136	I.	14	20	136
	2	14	88		15	21	144		15	21	144		15	21	144
	3	9	54		16	22	164		16	22	164		16	22	164
	4	11	70		17	15	94		17	15	94		17	15	94
	5	10	62		18	23	180		18	23	180		18	23	180
	6	13	82	II.	1	8	50	II.	1	8	50	II.	1	8	50
	7	12	78		2	3	16		2	3	16		2	3	16
	8	7	46		3	2	10		3	2	10		3	2	10
	9	16	108		4	4	22		4	4	22		4	4	22
	10	19	126		5	2	8		5	2	8		5	2	8
	11	6	42		6	4	24		6	4	24		6	4	24
	12	17	116		7	5	30		7	5	30		7	5	30
	13	18	122												

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—From

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Dr. M's account of the five only being so inserted, viz. that they relate to private affairs, unsatisfactory; because many of the suspected ones are of the same nature;—because *ad familiares* was not the antient Title of a general collection of Cicero's Epistles;—and because the present collection under that Title was compiled from all the remnants of many intire Volumes of Cicero's Letters. 73, 4—83—6.

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a 2 upon

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—Particularly with regard to the time of the breach between Antony and Cicero. 125—131.

—And to the agreement between Octavius and Cicero. 132—148.

3. From the probability of the thing itself: Since Brutus, before he left Italy, had substantial reasons for suspecting Octavius and for blaming Cicero's rashness in raising him. 133—49—53.

VIII, IX. *In the famous Letter to Atticus [Ep. i. 17.] historical facts, which are improbable, viz.*

1. Cicero's perpetually talking and requiring Brutus to write concerning the Acts of his Consulship near twenty years after it was over. 156, 7.

2. His censuring the act of killing Cæsar and reproaching Calpurnia as an assassin for it. 158, 9.

—Im—

—Impossible for Brutus to bring this charge against Cicero, if we can judge it to be false. 160-3.

3. His decreeing an Ovation to Octavius ; which was neither done, nor necessary to be done for the end which Dr. M. assigns. 163—5.

4. Attica's being represented as marriageable, when she could be but little more than seven years old. 165—71.

In the famous Letter to Cicero [Ep. i. 16.] mention made of a little scrip only of Cicero's Letter to Octavius being transmitted to Brutus ; a circumstance in itself unaccountable. 172.

It appears by the contents to be written in the interval between the battle of Modena and the union of Lepidus with Antony ; yet turns upon Cicero's supplication to Octavius in behalf of Cæsar's murderers ; who was not in any degree formidable till after that period, nor had manifested any design of revenging the murder since the battle of Modena. 173—6.

X, XI, XII, XIII. Cicero's Answer to Brutus [Ep. i. 15] reserved for two months to make way for a sophistic contrivance. 177—9.

In the beginning betrays its impertinence, and elaborately commends Messalla for his studying the best manner of Oratory ; whereas the true Cicero and Brutus had maintained a sharp controversy, which never was decided, concerning the best manner. 179—81.

Copies a mistake from Plutarch and Appian in supposing Marcus Brutus the Author of saving Antony's life, instead of Decimus Brutus, 181, 2.

—Decimus proved to be the Author of it from the circumstances of the two Brutus's. 186—8.

—From the testimony of Paterculus, to which Dr. M. appeals. 189—91.

—And of Cicero compared with Paterculus. 191, 2.

—From the Dr.'s ill success in attempting to shew, that Cassius could complain of Decimus on any other account than his being the Adviser of that step. 192—201

Is either contradictory to another Letter [Ep. ii. 7.] or falsely represents Cicero's advice to have been for war, upon the death of Cæsar. 203

—5

Falsely tells us, that he did not depart from the city till after Brutus and Cassius were driven out of it by the force of Antony's Arms. 206—12.

Applauds Cicero's return to Italy, and censures Brutus's departure out of it as dishonourable; whereas the former was involuntary, and the latter justified by Cicero's advice, example, and approbation expressed, not only in public Speeches, but in private Letters to Atticus. 212—16.

Falsely says, that Servius first moved the Senate to grant Octavius the privilege of suing for the Magistracies before his regular time, and that Servilius also moved to shorten that time: And says likewise, that Cicero first moved to grant him the legal command of his army; which positions inconsistent with each other. 217, 18.

—For Cicero joined both these particulars in the same motion, and the legal command was in the nature of the thing and in fact prior to the privilege

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privilege of suing for the Magistracies. 218,
19.

—*Dr. M.'s solution, that Cicero might close with Servius's motion; absurd.* 219, 20.

—*Cicero especially engaged to Octavius to make the motion, and originally made it in the first assembly of the Senate, in which it could be made to any effect.* 220, 1.

XIV. *Ep. i. 10. an Apology likewise for Cicero, represents him as strongly opposing Octavius's attempt upon the Consulship.* 224.

—*This shewn to be false upon the testimony of Plutarch, Appian, and Dio, whom the suspected Brutus appears to have read; and from the express declaration of the true Cicero, whom Dr. M. thought proper to overlook.* 225—30.

XV. *In Ep. i. 4. dated May 15th, Brutus expresses his apprehensions of Octavius's making an attempt upon the Consulship before he had given the least indication of any such design, which was moreover so extravagant in itself, that no body either did or could entertain the least suspicion of it, except Cicero himself.* 131—4.

He bears likewise, that Cicero was made Consul, which cannot be accounted for, but by supposing him to copy from the Greek Historians. 235.

XVI, XVII. *Ep. i. 2. mentions a fourth Legion with Brutus in Macedonia, which was at that time with Hirtius before Modena.* 236.

—*Not customary, as Dr. M. asserts, for the Roman Generals to name their new-raised Legions*

according to the order, in which they themselves raised them, without regard to any other Legions then subsisting. 237, 8.

—If it was, this would not solve the difficulty; since the Letter declares, that Brutus had only five Legions, four of which appear from History to have been veteran, or which Brutus did not raise. 239, 40.

—Since Cicero could not know, what particular Legion was meant, if Brutus had distinguished it by a numeral character, relative only to the order of his new-raised Legions. 241

It represents Brutus minutely anticipating circumstances of an event which afterwards happened, Antony's flight, D. Brutus's eruption out of Modena, and the victory of the Roman people; which is allowed by Dr. M. to be improbable, 242, 3.

—He endeavours to remove the difficulty by altering the date, without authority, against the sentiment of the Letter and the express testimony of a subsequent one. 144—50.

It mentions Brutus's having a discretionary power to carry on the war against Dolabella;—a fact false at the time when the Letter is dated. 252, 3.

—And probably advanced from a misconstruction of what the true Cicero declared in an Oration and Letter to Cassius, 253, 4.

Ep. i. 5. mentions another false fact, that Cicero advised Brutus to carry on the war against Dolabella before the battle of Modena; to which nothing has been replied. 255.

The

The Sophist betrays in it an ignorance of the concise form of a Senate's decree, and falsifies the matter of it. 256, 7.

XVIII, XIX. Ep. i. 3. dated April 22^d, relates the events of both the battles before Modena and the death of Panfa; whereas Panfa died after the second battle, which battle could not be heard of at Rome till many days after the date of the Letter. 258—261.

Mentions the form of a Senates decree, which was both improper and impracticable. 266, 7.

In Ep. 4. Brutus speaks of the eruption of his brother Decimus out of Modena before he could have heard of it. 257, 8.

And declares it to have been of the greatest service to the obtaining the victory; though it was no ways instrumental in it. 262—65.

XX. Contradictions in the Letters to true history and themselves.

Ep. ii. 5. mentions Brutus's want of money and recruits; when i. 2. tells us he had five Legions, &c. abundantly sufficient in comparison of his enemy's forces. 268—72.

XXI. Ep. ii. 2. inconsistent with Ep. i. 5. the former telling us that Cicero received April 9th authentic advices from Lentulus concerning Cassius, his Legions, and Syria; whereas the latter tells us, that Cicero had heard nothing at all concerning Cassius and his forces, nor received any Letter from himself so late as May 5th. 273.

—The

—The latter account—agreeable to history;—necessary to reconcile facts mentioned in the Letter of May 5th. 273—5.

XXII, III, IV, V, VI, VII, VIII. Brutus sends to Cicero at Rome an express April 1st of his successes in Macedonia and of Trebonius's death; whereas the two particulars were received at Rome together about the middle of the preceding February, and gave occasion to Cicero's speaking his xth and xith Philippics. 276, 7.

He jumbles in the same express of April 1st two articles, which were not heard at Rome till several weeks after. 277.

1. The successes of Cassius in Syria are notified together with the death of Trebonius; whereas, according to the Dr.'s account, Cicero's Philippic on the death of Trebonius was spoken three weeks, and, according to the true account, it was spoken near three months before any news about Cassius was received at Rome. 278, 9.

2. The circumstance of C. Antony's being Brutus's prisoner is notified together with his own successes in Macedonia. 280.

Inconsistencies between the first and second Book, with regard to Brutus and Cicero's disposition towards C. Antony, Brutus's prisoner. And the Letters of both parties prophetic of the outrage to Antony from Brutus's soldiers, and of the fate he underwent at last. 280—4.

The circumstance of Antony's being taken prisoner, coupled with Brutus's successes and the death of Trebonius in the express of April 1st, was notified

fied by the true Brutus in his second public Letter ; which, according to another suspected Letter, was not recited in the Senate till April 13th, and, according to true history, arrived not at Rome till after the victory of Modena. 284

—6

The suspected Brutus writes about Antony as his prisoner while Panfa continued at Rome, when by the supposition of his own Letter he must have heard, that Panfa had marched out of Rome.

288—90.

And the suspected Cicero places the news of Antony's being Brutus's prisoner and the person of Panfa at Rome in the same point of time ; whereas the news did not come to Rome till Panfa had left it.

290—4.

Ep. ii. 7. tells us, Brutus's second public Letter was read in the Senate, but his Friends would not permit an honourable motion to be made about it ; contrary to the testimony of Dio and Paterculus.

294.

This Letter of Cicero not genuine, because it tells us, that a public Letter from Brutus was judged spurious by the Senate for styling Antony Proconsul, &c.

295, 6.

That Plutarch never saw one of the many Letters, relating to C. Antony, an argument of their being forged after his time ; especially since he was a studier of Cicero's works, which he severally describes, and often makes use of the genuine Epistles of Cicero and Brutus for historical purposes, and particularly the Epistles of Brutus,

whether

whether genuine or spurious, which related to this period.

297—9.

XXVIII. *The Sophist copies the familiar Epistles so as to enable us to discover, that he lived after they were reduced to the form, in which they now appear.*

300—2.

He passes a censure on Lepidus's inconstancy and disaffection before the battle of Modena, who lay under no suspicion of them till long after that battle; when the same censure was passed upon him by the true Cicero for the act of his uniting himself with Antony.

303—6.

—The act of Lepidus's Lieutenants could not, as Dr. M. supposes, be the foundation of the censure.

307, 8.

Prophetically represents Lepidus expressing a violent hatred against his brother, for a fact, which did not happen till near three months, or, according to Dr. M. till near one month afterwards.

309, 10.

XXIX. *Ep. i. 9. is a studied, insipid consolation to Brutus on the death of his wife Porcia, founded on a suspicious tradition of her dying in the period, to which the Letters relate; though in truth she survived him.*

311—14.

XXX. *In Ep. 11. Brutus supposes the Consuls to be living, though it appears, that when he wrote it he must have heard of their death.*

315—21.

XXXI. *Cicero, in Ep. 14. speaks of his struggle in getting the elections postponed to the following year, when he had mentioned, in Ep. 5. a reason, which*

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which would make it impossible, that they should be held before that time. 322.

—Dr. M.'s supposition, that the Prætor might be for holding them; confuted. 323—6.

Cicero's reason why they could not be held before the end of the year, viz. that there could be no Inter-regnum as long as any one Patrician Magistrate continued in the State; false. 328, 9.
The Sophist's errors upon this head accounted for.

329, 30.

XXXII. *The conversation in the Letters upon subjects unsuitable to the characters of the pretended Writers; who give not only trifling, but false accounts of the elections into the Priesthood and Prætorship.* 333—7.

XXXIII. *The sollicitude of Cicero for his Son's gaining the Priesthood unseasonable at the time of the Letters, nor supported at that juncture by the examples of the other Roman Nobility; but anticipated probably from Appian's account of young Cicero's being made Priest by Augustus.*

337—40.

XXXIV. *Cicero's faculty of divination in vain urged by Dr. M. to account for the various anticipations in these Letters of things which afterwards happened; whence very probable, that the events did not follow the predictions, but the predictions were forged upon the events.*

340—8.

XXXV. *A remarkable instance of Cicero's prediction concerning the fate of Brutus and the*
turn

turn of affairs at Rome, which cannot be accounted for from political Augury. 348—57.

XXXVI. *The circumstances of L. Clodius, which Dr. M. builds upon as an internal proof of the genuineness of the Letters, shewn to be partly contradictory to Roman History, partly copied from the familiar Epistles.* 358—64.

XXXVII. *Reflections on the general character of the Letters under Cicero's name, with respect to the sentiment and disposition.* 364—76.

With respect to the style and expression. 376—89

A general sameness of reflection and diction, even in impropriety and imitation of Cicero's genuine writings, runs through the Letters of both correspondents. 389—96. comp. 381—4.

XXXVIII. *The Dr.'s general reflections on the declension of language and degeneracy of taste in Plutarch's and the following ages, do not prove the impossibility of the Forgery in those ages; evinced by reason and matters of fact.* 397—405.

But they do prove, that the Forgery would not be easily detected; which is farther evinced from the history of the Letters and from the similar circumstances of this and other Forgeries under Cicero's name. 406—8.

The Dr. desired to produce so many objections against the whole number of Cicero's genuine Epistles. 408

OBSERVATIONS

ON THE

EPISTLES

BETWEEN

CICERO and M. BRUTUS.

WHEN I ventured, in a *Latin* Dissertation concerning *Cicero's* Epistles to *Atticus* and his brother *Quintus*, to dispute occasionally the Authority of those between *Cicero* and *M. Brutus* [*a*]; I was well aware under what disadvantages I professed to oppose an opinion which was generally received, and farther recommended by the spirited composition and favourable subject of some of the Epistles themselves: but I little apprehended that an Essay of that kind would be censured as too *bold an attempt* [*b*], since I offered my suspicions to the Public with so much diffidence, and endeavoured to support them with

[*a*] Epistola ad Virum eruditum *Conyers Middleton*, etc. 123.
p. 192, ad finem.

such probabilities of reason, as a due regard to the judgments of others and the nature of the undertaking might seem to require. The distinguishing of what is genuine and what is spurious, in the several writings which are come down to us under ancient and celebrated names, is justly allowed the first place in the province of Criticism; and, since the revival of Learning especially, appears in fact to have done eminent service, in ascertaining every branch of Classical and Ecclesiastical Antiquities; nor could indeed the light of Letters have ever rose again upon the minds of men, if, in the reception and use of those monuments which pretended to the purest antiquity, they had thought themselves obliged implicitly to admit the *right of immemorial possession, which no body controverts* [c], or the verdict of *time*, which the learned Dr. Middleton declares to be *the surest judge and discern-er of true and false* [d]. The whole of my Dissertation was addressed to the Dr. in particular, because he had drawn many materials of his *Life of Cicero* from the Epistles to *Atticus*, which, he says, *may justly be called the Memoirs of the times* [e]; and especially because, as he observes, he *made great use of the Epistles in question, without intimating the least scruple about them* [f]; whereas the *matter of them*, as he likewise contends, *consists of a great variety of facts, and several of them not touched upon by any other writer* [g]. Now,

[c] *Middlet.* Pref. Diff. p. 50. p. xxi.

[d] *Ib.* p. 121.

[f] Pref. Diff. p. 2.

[e] Pref. to *Life of Cicero*,

[g] *Ib.* p. 118.

as I freely allow to the Dr. on the one hand, that *it would be a sensible loss to all the lovers of polite letters, to be deprived of a classical remnant of antiquity, of which they have fancied themselves rightfully possessed* [b]; so I am no less of his opinion, on the other, that *it might justly be reckoned a fraud in the literary, as it is in the mercantile world, to offer any thing to the public which we could not even warrant to be genuine* [i].

THE learned Dr. then, agreeably to my expectation, thought it incumbent particularly on himself, to vindicate the credit and assert the real antiquity of these Epistles [k]: though I cannot help expressing my great disappointment in another expectation, when I see a professed Vindicator of them, who had so late an occasion of studying Cicero's works, and of informing himself concerning all the facts and writings relating to Cicero's times, give so general and unsatisfactory an account of the numerous objections, which, he says, I had raised to the Credit of the Epistles [l]. Many of these objections, on which a reasonable stress was laid, are entirely passed over in silence; though he is confident, that I *will hardly accuse him of neglecting any of my capital arguments* [m], and sets forth in his Title-page, that ALL my objections are particularly considered and confuted. Others, which he vouchsafes to consider in his way, are rarely produced in their full force, or joined with the several authorities by which they were supported; and, what is worst, the civility

[b] *Mid. Pref. Diff. p. 2.*

[i] *Ib. p. 1.*

[k] *Ib.*

[l] *Middlet. Ep. of Cicero,*

p. 141. not. 3.

[m] *Pref. Diff. p. 123.*

of writing to him in a *learned* language, on a subject in which, he confesses, *men of letters and curiosity may be interested* [n], is repaid by misrepresenting several of my arguments, and by throwing out reflections which are foreign to the purpose of either scholarship or politeness, and grounded not on my real meaning, but on his own palpable misconceptions of it.

THE Vindicator of the Epistles, *in order to place the whole argument in the clearest light*, undertakes to *lay before the reader, in the first place, a short history of them, as it is delivered to us from the earliest tradition* [o]. A short history of a genuine collection of Letters between Cicero and Brutus, which subsisted several ages after Cicero's death, had already been laid before the reader from the early tradition of Quintilian and Plutarch [p]; but, as to the history which the Vindicator gives us of the Letters in dispute, never surely was a more jejune one of any book of moment, which carried pretensions to so high antiquity as the Ciceronian age. For, after all this solemn talk of a *history of them, as it is delivered from the earliest tradition*, he is able only to produce the single *early* testimony of Nonius Marcellus, under the title of an *old Grammarian*; and, without telling us one tittle how *old* this Grammarian was, he presently concludes, that his citing a certain Letter is *a circumstance sufficient of itself to evince its authority* [q]. Nonius is cited by Priscian

[n] *Mid. Pref. Diff.* p. 124. &c. p. 193.

[o] *Ib.* p. 3.

[q] *Mid. Pref. Diff.* p. 119.

[p] *Ep. ad C. Middleton,*

in his *Grammatical Commentaries* [r], which were written in great measure before the year 526 [s]; and that the age of *Nonius* himself cannot well be carried above a century higher, is probable from his *not* being cited by the other *old Grammarians*, who lived about the conclusion of the *fourth Century*, *Servius*, *Macrobius*, *Charisius*, and *Diomedes*. *Nonius* likewise cites *Serenus Sammonicus* [t], who flourished something later than *A. D.* 200; and yet he professes to give us the language only of *antient Latin Writers* [u]; tho' he is sometimes observed to *interpret antient words* according to the usage of the *lower* and more *barbarous* ages [v]. All then that can be certainly collected from *Nonius's* citation is, that *one* of the Letters of the suspected collection was subsisting under the name of *Cicero*, above 450 years after *Cicero's* death; and as all the rest of the Letters may still be of later origin than the age of *Nonius*, so the judgment of this

[r] Priscian. lib. i. et vi.

[s] Vid. Fabric. Bibl. Lat. v. ii. p. 457. not. b. Edit. 4^{to}, Venet. 1728.

[t] In v. *Labium*, etc. Macrobi. Sat. lib. 2. c. 12. — temporibus *Severi* principis — *Sammonicus Serenus*, vir saeculo suo doctus —

[u] Vid. tit. De honestis et nove *veterum dictis*, et in v. *Adipatum*, *Apludas*, *Anticipare*, etc. See likewise where he distinguishes between the language of *his own* time and that of the *Antients*, in *Finitores*, *Trua*, *Catax*, *Scriptuarii*, etc.

[v] *Ultimis* temporibus *capitium* significabat capitis te-

gmentum; *antiquitus* autem mamillare foeminarum. Neque unquam *boni auctores* pro cucullione acceperunt, ut *posterior aetas barbara*, quae *Epomidas* Monachorum capitia vocat. Nos — olim docuimus — *Nonium* errare, qui putavit *a veteribus* in eum significatum accipi, in quem accipiebat *sua aetas*. — At Hieronymus antiquitatis et linguae Romanae peritus scriptor capitium non aliter accipit quam Varro et *veteres*. Jo. Scaliger. in Pomp. Fest. v. *Lacerna*. Conf. Non. in voce *Capitia*.

Grammarians is by no means sufficient of itself to evince the authority of the one Letter cited by him. For I shall shew hereafter, that not only this *Grammarians*, but other *Grammarians* and *Philologists* of better character, as well as more early antiquity, have actually been imposed upon by forgeries under *Cicero's* name; nothing being less true than a principle, which was so clear to the *Vindicator*, that he lays it down in the form of a *postulatum*, viz. that there could be no room for a forgery of the suspected Letters, as long as the genuine Letters between *Cicero* and *Brutus* were in being [x].

THE remaining part of the *Vindicator's* short history is allowed to have carried up the immemorial possession of eighteen scattered Letters [y] of the suspected collection, on which he founds our right to hold them as unquestionable monuments of pure antiquity [z], to the time of *Petrarch*, who flourished, he says, about the year 1340 [a], but was living in the year 1373 [b]. These eighteen Letters, with *Cicero's* Letters to his Brother *Quintus* and to *Atticus*, were printed together in one volume, both at *Venice* and at *Rome*, in the year 1470 [c], the *Familiar* Letters having undergone two Impressions before [d]. Here we may remark, that the Epistle to *Octavius* under *Cicero's* name has exactly the same right of immemorial possession with the eighteen Letters of the suspected collection which were first found. We

[x] *Middlet.* Pref. Diff. p. 13. dit. *Basil.* 1581.

[y] *Ib.* p. 8.

[c] *Mid.* Pref. Diff. p. 8.

[z] *Ib.* p. 50.

[d] By *Sweynheim* and *Pannartz*, 1467, and by *Spira*,

[a] *Ib.* p. 6.

1469. See the very learned

[b] See his Treatise *De Obed.*

et *Fid. Uxor.* dated June 8.

Mr. *Maittaire's* An. Typ. v. i.

1373. *Petr.* op. p. 547. E-

p. 43, 57.

shall shew, that *Petrarch* was possessed of this E-
pistle together with the others ; and our late
Editor of it allows, that it continued so to be found
in all the former editions [e]. The other six or seven
more, rather fragments, he says, than intire Let-
ters, between *Cicero* and *Brutus*, happened to be
found in Germany, many years after several impres-
sions had been made of the former in different parts
of Europe [f] ; and tho' the novelty of the discovery
surprized the Critics a while, yet after they had been
considered at leisure by men of taste, they met with the
same approbation as the first eighteen [g]. In proof of
this approbation he alledges the testimonies of four
Editors of the Letters [h], two of whom do not ven-
ture to interpose any judgment at all [i], and a third
expresses himself with diffidence concerning their
authority [k] ; and of the two, who mention any
thing of the approbation which they met with in
their times, the one intimates, that some denied
them to be *Cicero's*, and the other, that they were
not found in all the printed editions, and in those
where they were found, were jumbled confusedly to-
gether, and read with little or no regard [l].

FROM this elaborate history of the whole col-
lection of the suspected Letters, as it is delivered to
us from the earliest tradition, the Vindicator pro-
ceeds to discuss a preliminary point or two, which

- [e] *Mid. Pref. Diff.* p. 122. the Epistles *ad Brutum* in the
It is called the *Fifth Book* of *Venice* Edition of the same year.
Epistles *ad Brutum et caeteros* ;
being placed after the *Book* of
Epistles to *Brutus* and the three
Books to *Quintus Fr.* in the E-
dition at *Rome* by *Saweynheim*
and *Panartz*, A. D. 1470.
It is placed immediately after
- [f] *Ib.* p. 8.
[g] *Ib.* p. 9—11.
[h] *Victorius, Sigonius,*
Lambinus, Patricius.
[i] *Victorius, Sigonius.*
[k] *Lambinus.*
[l] *Patricius, Sigonius.*

8 Observations on the EPISTLES

seem to him to be of no small moment towards determining the main question. For if, says he, we must believe the Letters to be spurious, some account might reasonably be expected, in what age or by whom they might probably be forged; and the difficulty of saying, either how ancient, or how modern they are, he holds to be so great an one, as seems sufficient of itself to shake my whole hypothesis [m].

THE Vindicator then is forced to defend his hypothesis on a principle, which is perfectly ridiculous at this time of day and would maintain the possession of the greatest part of the forgeries, which have at any time made their appearance in the world. And as it is not ever expected, and is for the most part absolutely impossible, that it should be precisely determined, either in what age, or by whom any confessed forgery is made [n]; so he could not reasonably expect from me any account, by whom the Letters in question might be forged, when I had only undertaken to give some account, why I thought them not to be the Letters of Cicero and Brutus. Besides, we are pretty well agreed in the main, what account might reasonably be expected in the case. For though he would seem to assert the authority of these Letters on the common foundation of every prevailing forgery, the general reception of the Critics of all ages, the surest judgment of time, and the right of immemorial possession [o]; yet he often betrays a sense of what might

[m] *Mid. Pref. Diff.* p. 12, 13.

[n] "There are many more instances of such counterfeit writings; but because the authors that mention them were since the times of the

"Ptolemies, we have no certain demonstration, but that the forgeries also were since." Bentley's *Diff. on Phalaris*, p. 15.

[o] *Mid. Pref. Diff.* p. 11, 50, 121.

reasonably be expected from one who would dispute their authority to any purpose, when he declares, and many times repeats, that he has always looked upon these Letters, not only as Originals, but the most valuable of that kind which are preserved to us from old Rome ; that for his own part, as far as he is able to judge, either from the style, or, on what he lays a far greater stress, the matter of them, he takes them to be, in all points, truly Ciceronian ; and that, for his own part, he takes Cicero's hand to be so clearly discernible in them, as to think it hardly possible that they could have been written by any body else [p]. On the other hand, as to the Epistle to Octavius, which, for any thing he knows to the contrary, has as good pretensions to pure antiquity as any one Letter of the suspected collection ; he says, that one would be puzzled to find a single sentiment, or a single word in it that shines ; that it is a stiff and forced performance ; void of all beauty either of style or sense ; in short, that it is no Epistle, but the declamation of some boy [q] ; and therefore, upon his authority and bare word, we must believe it to be spurious, and reject it as contemptible ; though he has not, at the same time, ventured to offer the least conjecture, either in what age, or by whom it might probably be forged. Since then we are so plainly agreed, that the main question between us must be determined from the matter and style, or the internal evidence of the Letters in dispute, it is only in complaisance to the method of his defence, and because it may be a subject of some agreeable curiosity, that I enter with him into a short

[p] Ib. p. 2, 14, 115.

[q] Ib. p. 120, 121.

Inquiry, first, Whether in the ages of barbarism down to the age of *Petrarch*, (who was possessed of the fifteen Letters of the suspected collection which were first found) it is not credible, that a *Sophist* should be found so perfect a master of *Cicero's* style, as to impose his forgeries upon the ablest Critics: and, secondly, Whether it is not credible, that he should think of putting such a cheat upon the world [p].

1. IT is yet a point in dispute between us, Whether the author of the suspected Letters was a perfect master of *Cicero's* style; and it will ever be impossible to pronounce with certainty, what *Sophist* might not impose his forgeries, even under *Cicero's* name, upon the ablest Critics. To call in again the Epistle to *Octavius*; though it is now so confidently exploded by the *Vindicator*, as only the declamation of some boy, yet this very boy was so perfect a master of *Cicero's* style, as to impose his forgery upon *Victorius*, the ablest *Ciceronian* Critic that ever lived, and who has done more in discerning and restoring *Cicero's* genuine text, than all the Critics upon him put together [q]. Nay, it is worth observing to what degree the great *Erasmus* suffered this forgery to be imposed upon himself. I will recite his own words, because they concern the *Vindicator* on more accounts than one. If it does not plainly appear, says he, from the many writings of *Cicero*, what he believed concerning the immortality of the soul and a future state of rewards

[p] *Mid. Pref. Diff.* p. 13.

[q] Illi uni [*P. Victorio*] plus
Cicero debet, quam reliquis
omnibus, qui in eo perpolien-

do tempus studiumque posue-
runt. *Graev. Praef. in Ep. ad*
Fam.

and

and punishments, as well as what assurance a good conscience afforded him; yet this is sufficiently evinced even from that one Epistle which he writes to Octavius, at a time when he had manifestly resolved upon death [r]. As the Vindicator will allow, that *Erasmus* had a more than moderate use of the Latin tongue, not to say, the *Ciceronian* eloquence; so it is to be hoped, that he will for the future entertain a more favourable opinion of the Epistle to *Octavius*, in which, he declares, *I should be puzzled to find a single sentiment*; especially since, as a Biographer, when he concludes his account of the scheme of morality and religion professed by *Cicero*, which he calls the utmost effort that human nature could make towards attaining its proper end, or that supreme good for which the Creator had designed it; he tells us from the same Letter of *Erasmus*, from which I have produced his ample testimony concerning the Epistle to *Octavius*, that upon the contemplation of these sublime truths, as delivered by a Heathen [*Cicero*,] *Erasmus* could not help persuading himself, that the breast from which they flowed must needs have been inspired by the Deity [s]. It is to be hoped too, that he will acknowledge the civility of my apology for himself and *Manutius* [t], as to their making great use of the Letters to *Brutus*, without intimating the least scru-

[r] Porro quid senserit de animorum immortalitate, quid de diversa sorte praemiiisque vitae futurae, tum quanta fuerit sincerae conscientiae fiducia, si non declarant tot ejus libri, certe vel illa una Epistola satis ar-

guit, quam ad *Octavium* scribit, jam, ut apparet, destinata morte. *Erasmi* Ep. ad *Iohan. Ullaten.* in *Cic. Tusc. Quaest.*

[s] Life of *Cicero*, v. ii. p. 560. Vid. *Erasm. Epist.* ib.

[t] Ep. ad *C. Mid.* p. 251.

12 *Observations on the* EPISTLES

ple, or indeed without conceiving any about them [u]; since such great men were imposed upon by the forgery of this Epistle, which has indeed more of a declamatory air than the other, for which Victorius urges the Vindicator's plea; that it is no more than what may be charged to a difference of the subject [x]. The case is, when men come to them without conceiving the least scruple, they cannot prevail upon themselves to think that any thing is amiss, because it is Cicero's; and as such an authority is sufficient of itself to beat down any rising suspicion, however well supported, concerning impropriety of expression, or lowness of sense; so if any facts are observed, which are evidently inconsistent with history or the antiquities of Rome, it is presently suggested, that we have lost all the helps that were the most likely to explain them, and which in all probability had actually explained them [y]; or that the author of the suspected Letters was more perfectly acquainted with the constitution of the Republic, than any modern Critic who has since attempted to explain them [z]. This in fact was the case with the excellent Manutius, who as he is to this day the only Critic that has endeavoured to explain them to any purpose, so he has ingenuously shewn, in numerous instances, that they cannot be explained.

BUT now when the pretensions of Cicero's authorship are waved for a while, and men can exer-

[u] *Mid. Pref. Diff. p. 2.*

[x] *Ib. p. 115. Quin sententiae ipsius conveniat, et stomacho, quem extremis illis temporibus contra Octavia num ha-*

buit,—dubitari non potest. Vict. in Ep. ad Octav.

[y] *Mid. Ep. of Cic. p. 103. not. 3.*

[z] *Pref. Diff. p. 105.*

cise their judgments, without such an over-bearing prepossession, on the real merit of the pieces themselves; the *imposition* is found to lose ground: And as the Vindicator has dropt a suspicion, that *others perhaps besides myself may deny them to be Ciceronian* [a]; so I would venture, were it any thing to the purpose, to set their authorities against all his assurance, or the *general approbation* of his *men of taste*, who *consider them at their leisure*. There is little difficulty in detecting an *imposition* of this sort, after we have once entertained the imagination, that the *right of immemorial possession* should not prevail against the evidence of *plain sense*. It was the force of this imagination, that could set aside the title of other *Ciceronian remnants of antiquity*, which Sophists actually did *impose upon the ablest Critics* for a while, and we shall see, that some of them were probably the forgery of the low ages of which we speak; as others are more *unquestionable monuments of pure antiquity* than the *suspected Letters* appear yet to be.

IN the mean time, the Vindicator is above attending to plain *fact*, and will needs demonstrate *a priori*, that it is not credible, that such a *Sophist* should be found in the many *Centuries of Gothic barbarism* down to *Petrarch's age*. His demonstration is founded on the following supposition of affairs, *viz.* That *an universal ruin* had *oppressed all the liberal arts*, by the *overbearing power of the Goths and Vandals* [b]; that *the purity of the Latin tongue was then lost* [c], and *the writings of Cicero*

[a] Pref. Diff. p. 114.

[c] P. 13.

[b] Ib. p. 5.

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lay so dispersed and neglected in distant parts of Europe, that a Sophist could not be furnished with them so largely, as to be able to execute the forgery [d]; that Petrarch, who lived two centuries before the Reformation, or before any taste of fine writing began to flourish again in Europe [e], was the leader in the search after the monuments of the antients [f], unlocked the musty libraries, and attempted to retrieve the Latin [Italian] tongue [g]; that he took great pains to recover the remains of Cicero, got together several duplicates of his common pieces, but was not able to procure any of the rare ones, but the two Books of Glory, and some separate Epistles and Oration [h]; that Poggius of Florence, in the next century, is said to have brought into Italy the copies of several of his pieces from the Council of Constance, and to have been the first discoverer of the entire collection of his Epistles to Atticus, which, with those to his Brother Quintus and the few Letters to Brutus, were very rare to be met with before the time of Jenfon's edition 1470 [i].

It is allowed, that the liberal arts were not commonly cultivated in the many ages of Gothic barbarism, nor did the generality of writers use the Latin tongue in any great purity: but neither could the former be wholly oppressed, nor the latter quite lost, as long as the monuments of them were open to common observation, and never utterly neglected in practice. Hence there are singular

[d] *Mid. Pref. Diss. p. 14.*

[e] *Ib.*

[f] *P. 6.*

[g]—*Tanquam Italicae linguae conditorem et principem*

—*veneremur. Pauli Jovii testimonium. de Petrarch. in edit. op. fol. Basil. 1581.*

[h] *Mid. Pref. Diss. p. 7.*

[i] *P. 8.*

examples

examples of those, who, by a diligent study of the Antients and by forming themselves after their models, did actually attain to a good taste of writing, and in many places express themselves in the language of *old Rome*. Our *Bede*, who flourished in the *eighth* century, was not only a master of the *liberal arts* and excellently learned in the antient authors both *Greek* and *Latin*, but a studier and admirer of *Cicero's* works, as may be seen from the high encomium upon *Cicero*, which he prefixes to his *Book of Sentences*, collected out of the *Philosophical* works, and which may give us an idea of the tolerable *purity* of his *style* [k]. His scholar *Alcuin*, who lived till after the beginning of the *next* century, was trained up in a continual practice of the arts of humanity, and had a considerable influence in promoting the revival of Letters under *Charles the Great*, whom he represents as receiving from himself the institutions of the *Art of Rhetoric*, in a *Dialogue* on that subject, which shews him to write with good *taste* and *purity*, and to be well acquainted with *Cicero's* writings. The *Life* and *Actions* of that Prince are written by his Chancellor, *Eginhart*, who bears testimony to the reputation of the *Ciceronian* eloquence [l]; and that *style* was the

[k] Studii humanitatis maximus fuit cultor, qui ingenio ab adolescentia eruditus, et in dicendo plurimum exercitatus, facile et sine labore cogitationes suas mandare literis poterat. Hac igitur felicitate ingenii, hoc naturae munere, hac denique sapientia et eruditione fretus, a pueritia ad exi-

tum vitae multa praescripsit; inter quae quaedam studiorum et doctrinae sunt opera, quae adolescentiam alunt, etc. Bedae Praef. ad Lib. Sent. ex Cicerone.

[l] Sed Tullianam par erat desudare facundiam. Eginhart. Praef. in Hist. de Vit. et Gest. Caroli M.

study

study of the learned in this age, appears from the character of his work, which is given us by his contemporary *Lupus Ferrariensis* [m]. This writer complaining of the ignorance, that succeeded Charles's reign, gives an account of his own love of Letters from his youth, and of his admiration of the Ciceronian character of writing, which, he says, many eminent Christian writers had proposed for their imitation [n]. In the epistolary correspondence of this learned person we meet with several answers to inquiries of literary curiosity [o], and with occasional declarations of a taste of style and fine writing beginning to flourish again in Europe [p]; nor were the monuments of the antients so closely locked up in the musty libraries as not to be accessible to the curious. He appears to have been possessed of many of Cicero's writings, the Rhetorical pieces, the Orations, and others; and he must have perused them with diligence and judgment, since he could discover

[m] Ibi elegantiam sensuum, ibi raritatem conjunctionum, quam in authoribus notaveram, ibidemque non longissimis periodis impeditas et implicitas ac modicis absolutas spaciis sententias inveniens amplexus sum. Lupi Ferrar. Ep. 1. Edit. Baluz.

[n] Vestra memoria per famosissimum imp. Karolum, cui literae eo usque deferre debent, ut aeternam ei parent memoriam, [studia] coepta revocari aliquantum quidem extulere caput.—Nunc oneri sunt, qui aliquid discere affectant.—Amor literarum ab ipso fere initio pu-

eritiae mihi est innatus.—Cum deinde auctorum voluminibus spatium aliquantulum coepissem, et dictatus nostra aetate confecti displicerent, quod ab illa Tulliana gravitate, quam insignes quoque Christianae religionis viri aemulati sunt, aberrarent.— Ib.

[o] Ep. 5, 8, 20, 30, 34, etc.

[p] Reviviscentem in his nostris regionibus sapientiam quosdam studiosissime colere pergratum habeo.—Etenim plerique in ea cultum sermonis quaerimus.—Sic linguae vitia reformidamus et purgare contendimus. Ep. 35.

many

many faults in his own copies, which made him very industrious in soliciting duplicates from his friends, in order to collate them, and make a *correct* and *complete* collection [q]; and, what particularly deserves our observation, he is actually provided with *copies* of *Cicero's Epistles*, and proposes to ascertain the *true readings*, as far as was possible [r]. The difficulty of such an undertaking seems to have consisted in the number of *Greek* words and phrases, which are interspersed in the *Epistles*, and were for the most part corrupted in the antient MSS. For he complains, in like manner, of *difficulties* in the *Greek* words of *Servius*, and desires an *explanation* of them [s]; though he was not by any means unacquainted with that language [t]. Lastly, *Paschasius Radbertus* calls *Cicero* the *King of Eloquence*, and gives a description of his books *Of Invention*, which even to this day, says he, are in esteem with every body, and made a study of by the proficient in the *Art of Rhetoric* [u].

[q] *Tullii de Rhetorica* liber; quem quidem habeo, sed in plerisque mendosum.—Item ejusdem authoris de *Rhetorica* tres libri in disputatione ac dialogo *De Oratore*, Ep. 1. *Catilinarium* et *Fugurthinum Salustii*, librosque *Verrinarum*, et si aliquos alios vel corruptos nos habere, vel penitus non habere cognoscitis, nobis afferre dignemini; ut vestro beneficio et vitiosi corrigantur, et non habiti, nunquamque nisi per vos habendi,—adquirantur. Ep.

104.

[r] *Tullianas epistolas*, quas

misisti, cum nostris conferri faciam, ut ex utrisque, si possit fieri, veritas exculpatur.—*Tullium* in *Arato* trade; ut ex eo, —quae deesse illi *Egil* noster aperuit, suppleantur. Ep. 69.

[s] Ex *Servio*—*Graeca* ne gravemini explanare. Ep. 5.

[t] *Verborum*; quorum flagitasti rationem,—in aliud tempus distuli, quanquam non sim nescius, *Graecorum* sermonum proprietates a *Graecis* potius expectandas. Ep. 30.

[u] Ut *Tullius* refert ipse *Rex eloquentiae*,—orator insignis,—delegit underhetoricae artis for-

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But I need not insist on the numerous particulars of this *learned* age; even in the conclusion of the *tenth* century we find, that the arts of eloquence and a taste of writing were esteemed to be naturally allied with the studies of philosophy; and *Gerbertus*, otherwise Pope *Sylvester II.* who wrote several treatises in the sciences, was no less assiduous in acquiring a good manner of speaking [x]. He took great pains by commissions to his friends and correspondents in all parts of Europe to procure at a vast expence a large collection of antient and modern books [y]; and as he is giving special orders for *Caesar*, *Manilius*, *Pliny*, *Suetonius* and other *Latin* Classics [z]; so he makes and answers inquiries concerning the several pieces of *Cicero*, and desires his friend to come accompanied with the works *De republica*, the *Orations* against *Verres*, and the numerous defences, which had been composed by that Parent of the Roman Eloquence [a]. The History from the beginning of the world, written by *Lambertus Scafnaburgensis* in the succeeding century, surprises all the Critics

maret mirabile documentum, quod usque hodie laudatur ab omnibus, et prodest illius peritiae sectatoribus. Radberti Prolog. in Com. in Evang. Matth.

[x] Cumque ratio morum dicendique ratio a philosophia non separentur, cum studio bene vivendi semper conjunxi studium bene dicendi. Gerberti Ep. 44. Ed. Lugd. 1677.

[y] Bibliothecam assidue comparo, et sicut Romae dudum, et in aliis partibus Italiae, in

Germania quoque ac Belgica scriptores auctorumque exemplaria multitudine nummorum redemi. Ib. et Ep. 40.

[z] Ep. 7, 8, 40, 130, 4.

[a] Habemus — finem Ciceronis pro rege Deiotaro. Ep. 9. Comitentur iter tuum Tulliana opuscula [et] *De republica* et in *Verrem*, et quae pro defensione multorum plurima Romanae eloquentiae parens conscripsit. Ep. 87. v. Edit. Paris. 1611.

by

by the accuracy of its accounts of antient times, and by the *purity* and *politeness* of its composition [b]. But I might have contented myself with the single example of the famous *John of Salisbury*, who flourished in the *twelfth* century, and whose excellent book, the *Policraticus*, or *De nugis Curialium* discovers such a mastery in composition, and so great a variety of knowledge in the *liberal arts*, that it may be read with great benefit even in this classical and enlightened age : And I make no doubt, but as this writer is far richer than the author of the *suspected* Letters in the stores of *invention* ; so his intimate acquaintance with all *Latin* authors of the most genuine antiquity, some of which are lost to these later ages [c], would have enabled him to equal him at least in the *purity* of *expression* ; had he engaged on set purpose in the laudable exercises of *Sophistic imitation*, in order to *put a cheat upon the world*. As to the *imitation* of *Cicero* in particular ; the *Vindicator* himself allows, that *about the time of the Reformation* some by making *Cicero* their *sole pattern* were able to copy his manner with some *exactness* [d] ; and therefore he

[b] — Equidem miror in saeculo tam barbaro tantam hominis et in loquendo puritatem et in temporum putatione solertiam fuisse. Scal. De emend. temp. p. 781.

[c] Quae si quis diligentius recenseri voluerit, legat ea quae *Trogus Pompeius*—*Serenus*—suis comprehenderunt historiis. *Policrat.* l. 8. c. 18. *Id.* l. 6. c. 17. *Apud Trogum Pompeium*

in *vicefimo* reperitur, et l. 5. c. 12. Collationem *Philippi* et *Alexandri Trogo Pompeio* vel *Justino* compendiarie ejus, si mavis, autore revolvamus. Item v. de *M. Caelii* Orat. in *C. Anton. Policrat.* l. 8. c. 13. Conf. *Cicer. Orat. pro Caelio*, c. 31. *Varro* in libris *navalibus*——. *Policr.* l. 2. c. 2. etc.

[d] *Mid. Pref. Diff.* p. 15.

C 2

must

must allow, that some in the *barbarous* ages by *making* the same *Cicero* their pattern might be able to copy, if not the force and flowing periods of his *Oratorial*, yet the ease and simplicity of his *Epistolary manner* [e]; though perhaps with very little *exactness*. The fine writer abovementioned does not only appear to have had all the parts and learning, which were necessary to accomplish a Sophist; but to have been *furnished* with *Cicero's writings* so largely as to be able to execute the forgery, and to teach the Vindicator, that near *two centuries* before *Petrarch* himself they did not lie dispersed and neglected in distant parts of Europe. For he cites *Cicero's writings* in numerous places, and seems to have been possessed of the most valuable of *Cicero's writings*, which never came to *Petrarch's* hands; of the books *De republica*, or concerning the best form of Government; and of the *Hortensius*, or in praise of *Philosophy* [f]. The latter of these treatises is cited in the *thirteenth* century by the famous *Roger Bacon* [g], who produces so many passages out of *Cicero's*

[e] — Quam [*vim dicendi*] nec *Cicero* ipse, in ea facultate praestantissimus, *Epistolis* suis inseruit, certe nec libris, in quibus est *aequabile* quoddam (ut ipse ait) et *temperatum* orationis genus. *Petrarch*. Praef. in Ep. fam. p. 568.

[f] Scripserunt de *Rep.* etsi diverso modo, *Cicero* et *Plato*; cum alter qualis esse debeat describeret, alter qualis fuerit a maioribus instituta. Hanc tamen uterque et instituta et institu-

endae praescripsit formulam, ut vita civilis naturam imitaretur. *Polic.* l. 6. c. 21. Ipse *Tullius* hoc dissimulare non potuit in eisdem libris quos de *Rep.* scripsit. — In libris quoque *Philosophiae* idem *Tullius* hanc intulit universalem generalemque sententiam, *Honos alit artes*, etc. L. 8. c. 5.

[g] *M. Tul.* in *Hortensio* dicit, quod omnis noster intellectus multis obstruitur difficultatibus. — Opus maj. p. 2. Edit. *Jebb.*

philosophical works, which best suited the quality of his studies, as to shew that he both got them together, and made great study of them [b]. The *Life* of J. Cæsar, which goes under the name of *Jul. Celsus*, is reputed to be the product of this or the preceding age. The Author of it frequently expresses himself with a *Classical purity*, having been very conversant with all the writers of the age, which makes the subject of his *History*, and especially with *Cicero*, from whose *Epistles to Atticus* he has drawn up a *Vindication* of his favourite *Hero* [i].

As to *Petrarch's* age, which is declared to have been *two centuries* before any taste of fine writing began to flourish again in Europe; *Petrarch* shews himself as well read in the best *Latin Classics*, as the *Vindicator* will pretend to be; and he, in like manner, had the advantage of several writings of the *Antients*, which the world very probably wanted ever since his time [k]. He cites *Cicero's* writings in particular as often, though not so largely, as the *Ciceronian Biographer*, who professes in a manner to extract his whole *History* from them; besides that they are allowed to have been generally the first that were

[b] *Ib.* p. 4, 468, etc.

[i] *Vide* Graev. *Praef.* in J. Cæsaris *Comment.* Edit. *Amstel.* 1697.

[k] *Scripsit* [Augustus] et *Epigrammatum* librum et *Epistolarum* ad amicos, conditum facitissima gravitate et luculentissima brevitate, quod opus inexplicatum et carie semelsum, ad-

olescenti mihi admodum in manus venit, multum frustra quæsitum. *Petr. rer. mem.* l. i. p. 395. De *Bruti* libro de *Virtute*, v. p. 591. Sunt penes me—J. Cæsaris aliquot familiares *Epistolæ*,—e quibus exempli gratia paula decerpsi. P. 955.

sought for by Men of genius or superior taste in all the places, where there was any school of learning or library of books [l]. All these are good signs of the purity of the *Latin* tongue being then at least reviving, and of a taste of fine writing beginning to flourish again in Europe. Nay, with regard to the whole collection of *Cicero's* writings, which were in practice among the learned of *Petrarch's* age; I can affirm, with more truth than there is in the *Vindicator's* whole representation, that it was as large and intire to the full as it is at this day; and this he must himself have seen, had he thought fit to consult the works of *Petrarch*, instead of resting in a few general testimonies prefixed to them, and some hearsay evidences only. He would take the little advantage of insinuating from an Epigram at the end of *Jenson's* edition 1470, that *Cicero's* Epistles to *Atticus*, his Brother *Quintus* and *Brutus*, were very rare to be met with a whole century after *Petrarch*; when the Epigram signifies no more, than that the Epistles to *Atticus* had not been before printed at *Venice* [m]. He reports farther, upon the autho-

[l] *Mid. Pref. Diff. p. 5.*

[m] *Attice nunc totus Veneta
diffunderis urbe,*

*Cum quondam fuerit co-
pia rara tui.*

—Indeed, in the Prefatory Dedication to the Edition at *Rome* in the same year, by *Swenyheim* and *Panartz*, complaint is made of their being able to obtain only a few MSS. of the Epistles to *Atticus*; either because

the liberal had them not, or because the envious would not communicate them. But it appears, that they had printed an Edition of them before, from their own remarkable words:
“ Satis fit mihi te, Pater fan-
“ tissime, scire me superioribus
“ diebus et familiares et ad At-
“ ticum Tullii epistolas ad pau-
“ perum commoditatem emi-
“ sisse.”

city of *Hoffman's* Lexicon, and of *Patricius*, who is the *Vindicator's* favourite Critic, that *Poggius*, a little before that edition, brought into Italy the copies of several of *Cicero's* pieces [n], and was the first discoverer of the entire collection of the Epistles to *Atticus* [o]. Now *Patricius* says nothing at all of an entire collection of the Epistles to *Atticus*; this is the *Vindicator's* caution: and it is certain, that *Petrarch* had in his possession every one of those pieces, which *Poggius* is said to have brought into Italy; the pieces *De finibus* [p] and *De legibus*; the latter of which, *Petrarch* tells us, consisted of three books, which were common in his time, and imperfect, as they were always found [q]. But if the *Vindicator* and his laborious Antiquarians have ever heard it said, that any one brought into Italy copies of *Cicero's* pieces; it is immediately concluded, that there were no copies of the same pieces in Italy before [r]; and in the same strain *Patricius* tells us again, that *Ger. Landrianus* is reported to have found *Cicero's* three books *De oratore*, the *Brutus*, and the *Orator*, about the year 1400 [s]; whereas *Petrarch* had the use of all these

[n] Hoffm. in voce *Poggius*.

[o] Patric. in fragm. Cic. *De gloria*, p. 37.

[p] *M. Tul.* in primordio operis, quod *De bonorum et malorum finibus* edidit, Ego, inquit, etc. *Petrarch.* op. p. 341. Cujus [*Epicuri*] secundo *De finibus* meminit *Cicero*. Ib. p. 572. — *De bonorum et malorum finibus* — *M. T. Cicero* integrum edidit volumen quinque distin-

ctum libris. P. 322.

[q] — Inter ipsa communia libri — *De legibus imperfecti*, ut semper inveniuntur. Ib. p. 948. — tertio *De legibus* meminit *Cicero*. P. 590.

[r] Lib. *Ciceronis De finibus et legibus*, qui nondum in Italia prius visi erant. Hoffm. ib.

[s] Cum — circiter annum 1400. per Gerardum Landrianum Laudae Pompeii episco-

pieces, cites both these and the *Rhetorical* books together with the books *Of Invention* several times, declares expressly concerning *some* of them, that they were *common* in his time, and gives us reason enough to make the same judgment of the rest [*t.*]

It is true, that Petrarch took great pains to recover the remains of Cicero, not only in person and in his travels through France and Germany, but by commissions to his friends and correspondents in all parts of Europe [*u*]; and if these pains were taken to get together several duplicates of Cicero's common pieces, it is no more than what all the curious take at this very day. But the pains were chiefly taken, and no expence was spared by the learned of those times, to recover the rare pieces of Cicero; and what these rare pieces were, might be learnt from almost every page of Petrarch's works, where he mentions the fate of Cicero's writings. These were such pieces as, after all the worthy endeavours of our Vindicator to recommend and diffuse the vulgar use of Cicero's writings, would be still great rarities, if he could oblige the world with them in any shape; the books *Of Glory*, of which if Petrarch had a true copy, it was probably the only copy then extant; the *Hortensius*, the

pum et tres libri *De oratore*, et *Brutus* seu *De claris oratoribus*, et *Orator* — reperti fuisse dicantur. Patric. ib.

[*t.*] — Inter ipsa communia libri *De oratore*. Petrarch. op. p. 948. — liber *De optimo genere dicendi*, Deus bone, quale, quamque ex alto sumptum opus!

p. 224. — In eo libro, qui *Orator* inscribitur, disputavit Cicero. P. 322. — Saepe in memoriam redeo illius in *Rhetoricis Ciceronianae* sententiae. P. 906. M. Tullius in libris *Inventionum* — P. 583.

[*u*] *Mid. Pref. Diff.* p. 6.

books *De republica* and the *Consolation* [x]. To these he adds in another place the *Oeconomics* or *concerning family-affairs*; all which, he says, are the works of *Cicero*, whereof the loss is *considerable*, and he doubts whether *ever it can be repaired* [y]. But as to the pieces of *Cicero*, which were in *common* use; they were so many *celebrated volumes*, that he could hardly *recite the titles* of them, much less *read them over* [z]: and as there is scarce one volume of *Cicero's* works in *present* use, which *Petrarch* does not cite or mention as *well known*; so after all his *expensive travels and commissions to his friends in all parts of Europe*, being now *broken with age and infirmity*, when he is professedly answering an inquiry of a learned person [a], seconded by the Pope himself, concerning any *rare pieces* of *Cicero*, which might have come to his hands; he declares, he had no other pieces of *Cicero* in his possession, than what were *common*, and perhaps *not so many* of them as his Holiness himself; except, as the *Vindicator* renders *Petrarch's* words, *some separate Epistles and Orations*; that once indeed he had met with the *two books Of Glory*, but lost them again [b].

[x] De libris quidem Reipublicae jam desperans, librum *De Consolatione* quaesivi, — et librum *De laude Philosophiae*. Petr. op. p. 948.

[y] Librorum aliqui nescio an irreparabiliter — perire; — quorum insignior jactura, ita haec sunt nomina, *Reipublicae, Rei familiaris, De Consolatione, De Gloria*. Ib. p. 705.

[z] Extant equidem praeclara volumina, quae ne dicam perlegere, sed nec enumerare sufficimus. Ib.

[a] Lucas de Penna.

[b] Respondi — *Ciceronis* libros non me alios habere, quam qui communiter habentur, et quos idem Dominus noster habet, vel, ut puto, etiam pauciores, unum addidi — habuisse me

I will venture to offer a conjecture, since the Vindicator may perhaps reasonably expect it from me, what those *separate Orations* and *Epistles* might probably be, which *Petrarch* found out, and calls *new* in opposition to the *common* pieces of *Cicero*. It is certain, that they were *few* in each kind, and he had told us just before, that when he was about twenty-five years of age, in his *travels* through *Switzerland* and *Flanders*, he called at *Liege*, which place was noted for a good collection of books. Here he found *two Orations* bearing *Cicero's* name, one of which he got his friend to transcribe, but transcribed the other himself, and some time after dispersed copies of it through *Italy*. These *two Orations* were probably the *Orations* pretending to be spoken by *Cicero* before he went into banishment, and in answer to *Sallust's* *Invective* [c]; they together with the *Invective* under *Sallust's* name being the only *spurious* ones published in the *first* edition of the *Orations* at *Venice* A. D. 1471, in the edition by *Adam* the following year, and in the first edition of *Cicero's* works at *Milan* 1498; whence they were propagated through the following early editions. But as to the *Epistles*, which were found by *Petrarch*; I shall not for once be behind the Vindicator in assurance, and do roundly affirm, that

alios et amisisse—In his omnibus novi nihil—praeter illos *De gloria* libros duos et aliquot *Orationes* aut *Epistolas*. *Petrar. op. Rer. Sen. xv. 1. p. 946, 8.*

[c] *Sallustii* in *Tullium* atque *Aeschinis* in *Demosthenem*, horumque in illos *invektivae* non ingenia neque stylos arguunt, sed mores—*Petr. op. p. 1059.*

they

they were the very *eighteen scattered Epistles*, as he himself calls them, which are the matter of our dispute, together with the Epistle to *Octavius*. My reasons are these.

IN the year 1340, when *Petrarch* was thirty six years of age [d], he had found some Epistles of *Cicero*, which the very learned *Fabricius* imagined to be the Epistles to *Atticus*. He farther relates, that *Petrarch* likewise first found the familiar Epistles; and declares concerning *Cicero's* Epistles in general, that they were *unknown* for many centuries before *Petrarch's* age, and might have been lost to us at this very day, had not *Petrarch's* industry searched them out and communicated them to the world [e]. This account is already, in some measure, confuted by the testimony of *Lupus Ferrariensis*, who had procured, as we said, *duplicates* of *Cicero's* Epistles, in order to make a *correct* copy of them; and as references are expressly made to the *seventh, eighth, ninth, and fourteenth books* of the Epistles to *Atticus*, and large extracts are produced from that collection of Epistles in the *Life* of *J. Caesar* [f]; so *John of Salisbury* cites

[d] Born *Kal. Aug.* 1304. Petr. Ep. de sua orig. etc.

[e] Has *epistolas*—*Petrarcha* reperit, illisque inventis exclamavit, se tandem *Ciceronem* agnoscere, *praecipitem* ac *calamitosum senem*.—Item *Epistolas ad familiares*, quas idem ille vir doctus, cum in loco quodam ubi *minime* putaret invenisset, sicut in *Epistola quadam* sua docet, *primus* in manus

hominum dedit. Ante *Petrarchae* enim aetatem *Ciceronis* Epistolae per *plures annorum* *centurias* desideratae fuerunt, ac nisi ipsius studio ac opera in lucem prolatae fuissent, fortassis ad haec usque tempora iis caremus. Fabric. Bibl. Lat. v. i. p. 122. Conf. et p. 119.

[f] Edit. Graev. p. 129, 133, 134, 202.

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(in the manner of the Antients before the *general title* of *familiar* was in being) two of Cicero's Letters to C. Cassius, one of which is now contained in the *twelfth*, the other in the *fifteenth* book of the *familiar Epistles* [g]. He cites likewise other Letters of Cicero, which seem to be now lost [h], and particularly refers to the matter of the Letters to his Son [i]. We have moreover seen from *Petrarch's* own account, that both those ample collections of *Epistles* must have been *common* in his time, and that they must have been pretty *perfect*, appears from his own description of the *familiar Epistles* [k], from his allusions to the series of history contained in the Epistles to *Atticus* [l], and from his numerous citations out of both these

[g] — In *Epistola ad C. Cassium* violatorem Dictatoris mordacius scripsit [Cicero;] *vellem Idibus Martiis me ad coenam invitasses*, etc. Polocrat. l. 3. c. 14. Quod C. Cassio Cicero in *epistola ad eundem Cassium*; — *virtuti* — *nuntium remiserunt*. Epist. 184. Vide Ep. Fam. xii. 4. et xv. 16.

[h] Ciceronem in *epistola ad Marcellum* scripsisse meminimus, *quia sapientis judicio refert plurimum cum quis obligetur*, etc. Ep. 179. Cicero in *epistola ad Tironem* de amico scribit, *utique et in omnibus habeo excusatum*, etc. Ep. 181.

[i] At M. Tullius non ode- rat filium, a quo, in *epistolis* ficut apparet, Grammaticam instan- tissime exigebat. Metalog. l. 1. c. 21.

[k] Cicero — *familiaria et res novas ac varios illius saeculi ru- mores in Epistolis* includit, — quibusdam interjectis moralibus, quod ab ipso Cicerone servatum est. Petr. Praef. Ep. fam. op. p. 569.

[l] Omitto *Dionysium*, omitto *fratrem tuum ac nepotem*, omitto, si placet, ipsum etiam *Dolabellam*, quos nunc laudibus ad coelum effers, nunc repenti- nis maledictis laceras; — *J.* quoque *Caesarem* praeterveho; — *Magnum praeterea Pompeium* fileo. Ib. Ep. ad Cic. p. 704. Lege — *Epistolas ad Q. Fratrem*, omnia ibi de *Caesare* honorifice dicuntur. — Eiusdem ad *Atticum epistolas* percur- re. *Prima* ibi ambigua, *ultima* quae- que odiosa videbis. P. 372.

collections.

collections. Indeed these collections, like many other monuments of the Antients, were very probably extant in *Petrarch's* own hand-writing [*m*], and the Critics make mention of his copy of all *Cicero's* Epistles [*n*]; but the *single* authority, upon which it is reported that they were *restored* by *Petrarch*, after they had been *lost for many centuries*, is inadvertently applied by *Fabricius* first to the Epistles to *Atticus*, and afterwards to the *familiar* Epistles; whereas in reality it properly relates to the Epistles to *Brutus* and *Octavius*. This authority is a Letter of *Petrarch* fancifully addressed, as the *Vindicator* observes [*o*], to the *manes* of *Cicero*, under the character of an *inconsiderate* and *calamitous old man*. Now the Epistles to *Brutus* and *Octavius* are perfectly answerable to this character and circumstance of *Cicero*; being all of them supposed to be written within the year of his death, and upon the subject of those *mismanagements*, which *Petrarch* especially insists on, and which were the immediate occasion of *Cicero's* *tragical* end [*p*]. *Petrarch* indeed alludes, as I said, to a series of like mismanagement expressed in the Epistles to *Atticus*; but he especially insists on the subject of the Epistles to *Brutus*; and the chief reason, why I think, that these (not the other)

[*m*] Victor. Praef. in Ep. ad Att. Fabric. Bibl. Lat. v. i. p. 122.

[*n*] Malasp. in Ep. ad Brut. init.

[*o*] *Mid.* Pref. Diff. p. 7. Epistolas tuas — ubi *minime* rebar inventas avidissime perle-

gi. — O — praiceps et calamitose senex! Petr. Ep. ad Cic. op. p. 704.

[*p*] Quis te falsus gloriae splendor senem adolescentium bellicis implicuit, et — ad indignam philosopho mortem rapuit? Petrarch. Ep. ad Cic.

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are the Epistles referred to by him as *lately found*, is, that the whole Letter is a perpetual parody on the sense and the very expression of them, as well as directly cites *two passages from the two celebrated Epistles of Brutus; the one, to Cicero; the other, to Atticus* [q]. The address to *Cicero* is thus introduced: *I have read over with great eagerness those Epistles of yours, which I had long and much sought after, and found them at last where I little expected them. I have heard you say many things, make many complaints, very inconsistent with yourself.* *Petrarch* proceeds immediately to talk in the language and deliver the sentiments of the Epistles to *Brutus* throughout his short Letter. I shall throw into the notes as many parallel places as may suffice to confirm my observation, and to afford a specimen of the *declamatory* ideas entertained in these later ages concerning the passages and politics of *Cicero's* times [r]. And that *Petrarch*

[q] *Mid. Pref. Diff. p. 7.*

[r] *Petrarch. Qui jampridem qualis praeceptor aliis fuisses noveram, nunc tandem quis tu tibi esses agnovi. — Quod quidem de tanto viro libet opinari.*

Ep. ad Brut. 16. p. 108. Edit. Middlet. Est alienum tanto viro, ut es tu, quod alteri praeceperit, id ipsum facere non posse: — minime decet propter quem fortiores caeteri sumus, eum ipsum animo debilitatum videri: — Cum mollius tibi ferre viderer, quam deceret virum, praesertim eum, qui alios consolari soleret.

Petrarch. Quid juvat alios docere, quid ornatissimis verbis semper de virtutibus loqui prodest, si te interim ipse non audias?

Ep. ad Brut. 15. p. 98. Quid illi profunt, quae pro libertate patriae, de dignitate, quae de morte, exilio, paupertate scripsit copiosissime?

Petr. Doleo vicem tuam.

Ep. 19. p. 132. Reip. vicem dolebo.

Petr. Unum hoc a vera charitate profectum.

Ep. 11. p. 74. Unum hoc grato animo liberalique profectum.

was

was really the *first*, that brought to light the collection of those Epistles to *Brutus*, which were published in the *old* editions, he tells us expressly in another place: For in a political treatise inscribed to *Franciscus Carrariensis*, Prince of *Padua*, I perceived, says he, how much one Epistle, really a fine one, and composed with a noble spirit, the Epistle of M. Brutus to M. T. Cicero, made your soul glow with the sentiments of virtue, insomuch that you could think of nothing else for some time:— and I often congratulated with myself upon having procured you that Epistle, and retrieved it from a long oblivion [s].

Petr. Vel ut verba tua recognoscas——

Ep. 22. p. 166. Verba tua recognosce, et aude negare.

Petr. Quid tibi tot contentionibus, et prorsus nihil profuturis simultatibus voluisti? Ubi——fortune tue conveniens otium reliquisti?——Quis te furor in *Antonium* impexit? Amor credo *Reipublicae*.

Ep. 14. p. 90. Quod scribis me maximo otio egisse ut insectarer *Antonios*. Here *Petrarch* understood *Brutus* to have written to *Cicero*, “that he had managed so, as to pursue the *Antonies*, when he himself was perfectly at his own ease, and might have continued quiet, had he acted wisely.” Dr. *Mid.* on the other hand, renders *Brutus*’s words, “As to what you write, that I have managed so, as to be able to pursue the *Antonies* much at my

“ease.”——

Ep. 22. p. 168. Quid autem tibi cum *Antonio* privatum odium? nempe quia postulabat haec; salutem ab se peti, etc.

Ep. 15. p. 94. Sed quaedam mihi videtur (quid dicam?) imperite vir omnium prudentissimus, an ambitiose fecisse; qui valentissimum *Antonium* suscipere pro *Reipublica* non dubitavit inimicum?——*Erasmus* alludes to this passage when he observes, [See *Middlet.* Pref. Diff. p. 9.] *Brutus* indignatur *Ciceroni*, qui suis concionibus et scriptis irritaret eos, quos irritatos non posset opprimere. Where we see, both *Petrarch* and *Erasmus* interpreted *Brutus*, “as if he had blamed *Cicero* for giving opposition to the *Antonies*, and thereby making himself Enemies, to whom he was not equal.”

[s] Senti quantum *Epistola una*, clara illa quidem et quae claro

BUT

BUT I must advance farther, that in company with these Epistles to *Brutus*, *Petrarch* likewise found the Epistle to *Octavius*, which, the *Vindicator* says, is the declamation of some boy, venting his indignation, and trying under the person of *Cicero*, how well he could harangue on the perfidy and ingratitude of *Octavius*. For *Petrarch* in the Letter harangues on *Cicero* in his turn for venting his indignation at the perfidy and ingratitude of *Octavius*, who had really done him no ill offices himself, but had barely given no opposition to his enemies [t]. And in his preface to his *Epistles* concerning familiar affairs he gives us the whole history of his fanciful address to the manes of *Cicero*; where touching on the effeminacy and querulous disposition of mind expressed in *Cicero's* Letters, with the matter of which he was no less offended than he was delighted with the style; *Add to these*, says he, *his litigious Letters*, and such as discover a levity of mind, in venting his indignation and monstrous reproaches against the greatest men, whom he had been so loud in commendation of before; at the reading of which having taken great pleasure and offence at the same time, I could not refrain from expressing my resentment in a Letter of expostulation addressed to himself, and from using a familiarity, which I had contracted from his writ-

texta esset ingenio, M. scilicet *Bruti* ad M. T. *Ciceronem*, tibi animum accenderit ad virtutem, ut diu vix aliud loqui posses.—Saepe etiam ipse mihi gratiam habui, qui tibi illam *Epistolam* procurassem, et oblivione senioreque obrutam renovassem. *De Rep.*

opt. adm. p. 373.

[t] Hoc erat extremum, *Cicero*, ut huic ipsi [Augusto] tam laudato malediceret, qui tibi ne dicam malefaceret, sed malefacientibus non obstitet. *Ib.* *Ep.* ad *Cic.* p. 704.

ings,

ings, in declaring to him the severe passages, which gave me offence [u]. We may farther observe, that Sirichius, Petrarch's scholar and intimate friend, who wrote a supplement to his short lives of famous men, relates, that Octavius was sent with the Consuls to the relief of D. Brutus and gave a defeat to M. Antony before Modena, when he was only seventeen years of age [x]. This mistake he was probably led into by the Epistle to Octavius; where the excellent Casaubon, who looks on this Epistle as *antient*, though not Cicero's [y], would change the numeral characters xiii. or xvii. into xix. or xx. and our late Editor of the *Epistle*, for reasons perhaps known to himself, has made the anachronism quite impossible by preferring the reading of xiii. But Sirichius's account leaves little room to doubt, but the vulgar xvii. was the current reading in Petrarch's time.

I will venture farther to offer a conjecture, that the order of the three systems of Cicero's Epistles was, to Brutus, Atticus, and his Brother Quintus in Petrarch's disposition of his whole collection of Cicero's Epistles. For Petrarch observing, that Epicurus inscribed his collections of Epistles to two or three names, to Idomeneus, Polyænus, and Metrodorus; tells us, that Cicero likewise inscribed his collections to much the same number, to Brutus, Atticus, and his Ciceros, his Brother and his Son [z]. We have seen, that the same

[u] Petr. op. p. 570.

[x] Vide ib. p. 513.

[y] —In epistola ad Octa-
vium, non Ciceronis quidem,

fed *vetere* tamen. Casaub. in

Suet. in Aug. c. 3.

[z] Epicurus — epistolas suas
duobus aut tribus inscripsit, I-

precedence is given to the Epistles to *Brutus* in the two *first* editions of the whole collection at *Venice* and *Rome*; and this is more remarkable, because, as I said, the Epistles to *Brutus* with the Epistle to *Octavius* ought to be the *last* according to the obvious order of the times in which they were written. These circumstances give us some reason to question the truth of what *Malaspina* relates only upon report, that a *different order* was observed in *Petrarch's* copy of the Epistles, which order, says he, was *first introduced* into the edition of *Aldus*, the Father, and afterwards continued by the Son [a]. However this be, I will recommend a curious fact to the Vindicator's consideration. *Petrarch's* Letter, which we have so much insisted on, together with his following Letter written in the same year and addressed in the same manner to *Cicero*, is found inserted into the collection of all *Cicero's* Epistles in the early editions of his works; which tell us farther, that it was done in imitation of *antient example* [b]. It is indeed there inserted immediately before the Epistles to *Atticus*, but was probably prefixed by *Petrarch* to the whole collection, of which the Letters to *Brutus* were called the *first book*. *Petrarch's* own Letter then,

domenico, Polyaeno, et Metrodoro: totidem pene suas Cicero, Bruto, Attico, et Ciceronibus suis, Fratri scilicet ac Filio. Petr. p. 568. Hence one would imagine, that *Petrarch* was possessed of all these Epistles of *Episturus*, and the two books of *Cicero's* Epistles to his Son.

[a] — Mihi placet is ordo,

qui ab *Aldo* primum, deinde a *Filio* servatus est, quem etiam audio in exemplari *Petrarchae* inveniri. *Malasp.* in Ep. ad Brut. in init.

[b] Ed. Badii, 1527. — Quas [*Petrarchae* Epistolas] praetermissas ideo nolui, ut vel hoc errore lectores liberem, vel defraudatae portiunculæ calumnia
though

though it declares itself to have been written by one of *Cicero's posteri*, and bears date 1340, from an *æra*, which *Cicero* did not know; yet getting into the antient copies and very early editions, was taken for an unquestionable monument of the purest antiquity, and imposed upon the ablest critics for a time, being sometimes ascribed to *Atticus*, sometimes to *C. Nepos*; and possibly might have imposed upon them for a much longer time, had not *Paulus Æmilius*, who flourished about 1520, had the fortune to detect the cheat by meeting with the Letter in *Petrarch's* own works[c]. Thus the Vindicator's demonstration is both confuted by plain facts, and is absolutely precarious in itself, as every part of it may be denied: For,

I. IN the ages of Barbarism down to the age in which *Petrarch* lived, neither were the liberal arts so wholly oppressed, nor the purity of the *Latin* tongue so utterly lost, nor the writings of *Cicero* so dispersed in distant parts of *Europe*; as to render it incredible, that a Sophist should be found so largely furnished with *Cicero's* writings and so perfect a master of his style, as to execute the forgery of the suspected Epistles, and to impose it upon the ablest critics.

impressionem nostram. Item Ed. Basil. 1539.—Quas ideo prætermittendas non putavimus, ne quid in hac editione, quod ab aliis omiffæ non essent, desideraretur. In both these Editions the order of the Epistles is, *ad Brutum*, *2. Fratrem*, *Octavium*, *Atticum*, as in the Roman Edition in 1470; but

in that of *Venice* of the same year, it is, *ad Brutum*, *Octavium*, *2. Fratrem*, *Atticum*. Where it is observable, that the Epistles *ad Brutum* et *Octavium* are continued together as they were found by *Petrarch*.

[c] Vide Edit. Badii et Basil. in init. Ep. ad *Attic*.

2. THE Vindicator advances farther, that, should such a *Sophist* be found, he could not think of putting such a cheat upon the world. What end could he propose to himself in undertaking it? It could not, says he, be fame, since he chose to lie concealed: nor could it be money, since in the barbarous ages no body would buy his work [d]. If he is serious here, which many may be apt to doubt; I answer, first, That the end of the *Sophist's* writing the suspected Letters might be neither. For he himself has suggested a third end, the exercise of genius; since the Epistle to Octavius is the declamation of some boy. This was the most fruitful mother of *Sophistic* forgeries in all ages; and he may learn from the instance of *Petrarch's* Letter, that writings may become forgeries by chance, or when they were not intended to put a cheat upon the world. The bare title of a book is many times sufficient to constitute it a forgery, by being mistaken for the author of it. Thus a collection of *Latin* verses has been reputed the real work of *Cato* [e] (as a like collection of *Greek* ones was referred to *Pythagoras*) because it was inscribed with the name of *Cato*, as a title most expressive of its moral and sententious character. The very corrector or transcriber of a copy could be dignified with the character of the author, and the property of *Cæsar's* own seven books of the *Commentaries* of his *Gallic war* had like to have been absolutely transferred to J.

[d] *Mid. Pref. Diss.* p. 16

[e] *In libello*, — quo parvuli initiantur, ut virtutis instructio, et usus teneris ebibitus animis

facile nequeat aboleri, — ait vel *Cato* vel *alius* (nam autor incertus est.) — I. *Sariss. Polit. crat.* l. 7. c. 9.

Celsus, because a *Constantinopolitan* of that name about *A. D.* 600. carefully revised them; whence those books were received under the current title of *the Commentaries of Cæsar by Julius Celsus* [f]. When those books of the *Commentaries* were re-vindicated to their *real* Author, this same *Julius Celsus* became again intitled to the *continuation* of the *Commentaries* [g], and at last to the *anonymous* book concerning the *Life of Julius Cæsar*; and this book has been ascribed to *Petrarch*, because a *fragment* of it appeared under *Petrarch's* name, which was probably only *transcribed* by *Petrarch*, and added by way of *supplement* to the book of *Commentaries of the Spanish war* [h]. Nay, to shew the *Vindicator*, that *Nonius Marcellus's* citing a Letter of the *suspected* collection is not a *circumstance sufficient of itself to evince its authority*; *Nonius*, by *misciting two verses in Cicero* as from the *Prometheus* of old *Accius*, has made *Cicero* guilty of a *forgery*; for *Cicero* tells us exprefsly, that the *verses* were *his own*, translated from the *Prometheus* of *Æschylus* [i]. —But, secondly, I answer that the *Sophist's end* might be *either fame or money*. For though he *chose to lie concealed*, yet he might gratify a *private vanity* in imagining that his work might hereafter be received by some celebrated *Ciceronian Historiographer*, *not only as an original, but the most valuable of that kind, which is preserved to us from*

[f] Fabric. Bib. Lat. p. 177, 9. dat; *Difficillimam rem suscepi*

[g] Eisdem *Caesaris* libros, —Petrarch. op. p. 395.
scriptor rerum suarum (ut fama
fert) *Julius Celsus*, ut Suetonio
videtur, *Hirtius*, ita commen-

[h] Fabric. Bib. Lat. p. 180.

[i] Acc. Prometh.

—sublime advolans

old Rome; written in the very crisis and last struggle of its liberty, by the greatest men who then lived in it, and who soon after died for it [k]. Such a complacency the Vindicator's great authority, Sigonius, must needs have enjoyed for some considerable time; if he was the *real* author of the *Consolation* of Cicero, which I would willingly give either of them leave to deny. For my own part, I am not ashamed to confess, that I look upon this piece as exceeding all the Epistles of the suspected collection in goodness of composition, and in dignity of sentiment; besides that it carries a character of antiquity, common with some of the *worst* of them, the artifice of a *fragment*. — However I am apt to think, that *money* might be the prevailing motive for publishing a new work under Cicero's name; though the Vindicator is positive, that this is an *impossible* case. His argument is, that in the barbarous ages no body would buy the work; when there was scarce a man, much less a society of men in the world, who had any particular respect for Cicero, or made any study of his writings [l].

As we are favoured with an observation, that from the reign of Tiberius all the Roman writers, whether poets or historians, seem to vie with each other in celebrating the praises of Cicero, as the Parent of the Roman wit and eloquence [m]; so we have seen, that through the ages of the greatest Barbarism down to Petrarch's age, several

Pinnata cauda, nostrum adulat sanguinem.

Nonius in voce *Adulatio*. Conf. Cic. Tusc. Disp. 1. 2. c. 9, 10. At Tullius — nec tam inops erat,

vel tam perfrietae frontis, ut aliena sibi adscriberet. Davif. in loc.

[k] *Mid. Pref. Diss.* p. 2.

[l] *Ib.* p. 16, 13, 14.

[m] *Life of Cic.* v. ii. p. 501.

writers

writers celebrated the praises of Cicero, made a study of his writings, and asserted to him the title of the Parent of the Roman eloquence [n]. Petrarch himself, the first restorer of the suspected Letters, looks upon it as astonishing, that there should be found in any age so much as a man, much more a society of men, who had not a taste for the Ciceronian eloquence, style, or even manner of speaking[o]. Whether this charge is just upon the learned Sidonius Apollinaris and his followers, I shall shew hereafter; but Petrarch strongly contends, that no body controverts Cicero's being the Prince of eloquence. In another place he tells us of his own particular case, that from his very childhood he applied himself closely to the study of Cicero's writings, whether through a natural instinct, or by the instigation of his Father, who was a perfect adorer of that author, and particularly curious in collecting his writings [p]. But that the study of Cicero was not

[n] — Ille, in quo Latinitas nostra solo invenit, quicquid insolenti Graeciae eleganter opponit, aut praefert, Ciceronem loquor, Romani autorem eloquii. J. Sarisb. Policr. l. 2. c. 22.

[o] O libertas! — inventum esse hominem Latinum, qui — eloquentiam aut stylum aut omnino dicendi genus Ciceronis irrideat! Atque hoc Sidonius ausus est, — atque illi detrachere, cui omnes deferunt, praeter paucos illius coaetaneos ac convivas, quos praesentium comes haud dubie torfit. — Ut contra indubitatum eloquentiae principem eloquentiae studiosus insurgeret!

— In eo certe non fallor, vel si fallor, cum multis longeque clarissimis falli juvat, quod solutae facundiae principatus, contradictoribus late victis, unius Ciceronis est proprius. Petr. op. p. 569.

[p] Ab ipsa pueritia — ego libris Ciceronis incubui, seu naturae instinctu, seu parentis hortatu, qui auctoris illius venerator ingens fuit. — Volumen elegantissimum, cui par aliud invenire difficile, paternas inter res inventum, quod in delitiis pater habuerat. Petr. op. p. 946, 8.

the *peculiar* of that family, we may learn from his rapturous exclamation to *Cicero* himself. O greatest Parent of the Roman eloquence, to whom thanks are due, not only from me, but from all of us together, who are garnished with the flowers of the Latin tongue. We ingenuously confess, that our meadows are watered from your fountains, that we follow you our leader, are promoted by your favours, and are honoured with your name; in short, that it is under your auspices that we have made these attainments, whatever they are, in eloquence [q]. His saying, that they were honoured with the name of *Ciceronian*, which the Vindicator might have observed to be current in this barbarous age [r], as well as about the time of the Reformation, two centuries afterwards, when the men of taste and polite letters began to vie with each other in the delicacy of their style, and, above all, in the imitation of *Cicero*; in which they were so nice and fastidious, as to allow nothing to be classical, that was not drawn from his works [s]. To return to *Petrarch*; after he had observed in another place upon the oratorical character of *Cicero*, he follows him into his retirements, which produced his philosophical treatises; whence, says he, how great emolument has accrued to the study of Latin Letters, there is no scholar now, that needs to be informed [t]. Lastly, the representation which he

[q] Petr. op. p. 705.

[r] Si mirari autem *Ciceronem* hoc est *Ciceronianum* esse, *Ciceronianus* sum. Ib. p. 1054.[s] *Mid. Pref. Diff.* p. 15.[t] Quid eidem licet invito *Ciceroni* solitudo illa contulerit notum est; fecit enim magnum de summo oratore philosophum, ex quo quantum studiis

makes

makes in his Letter to *Cicero* may without great injustice be transferred to the present *Ciceronian* times. *You may want*, says he, *to hear how it has fared with your books, whether with the generality of men, or with the learned in particular.*— With the generality the fame of your actions and your eloquence is every where loudly celebrated: but the learned or inquisitive are but few. — Therefore some of your books are irrecoverably lost [u].

IT was the character of learning in *Petrarch's* age to be *inquisitive* after the rare or the lost books of the Antients, and particularly of *Cicero*. This is farther evident from his *epistolary* writings, from which we mentioned an inquiry of a person of reputation for learning, who wanted to be supplied with *Cicero's* rare books at *his own expence*, in order to execute some literary undertaking [x]. A like instance is seen in the books of *Glory*, which *Petrarch's* old master borrowed of him for the same use; and hence suspicions may arise, that many of this sort of *Cicero's* works, and particularly these renowned books of *Glory*, suffered by a race of detestable plagiaries, who would prevent a detection by destroying the only remaining evidences of their frauds. But whether it was the desire, so inauspicious to learning, of *imposing cheats upon the world*, or the generous industry of a learned curiosity, which actuated the minds of men at this

Latinis accreverit, nemo studiosus est qui nesciat. Petrar. p. 280.

[u] Ib. p. 705.

[x] *Petieras ex me, ut de libris*

Ciceronis, si quos inusitados et extraneos haberem, tibi quoque cuidam nuper coepto operi subvenirem, tua scilicet impensa— Ib. p. 946.

time

time to raise up the *hidden remains* of *Cicero* and the *Antients*, which seem to have been buried together in the immediately preceding century [y]; it is certain, that as no *expence* was spared on the one hand, so it gave occasion to numberless impostures on the other. *Petrarch* himself would have redeemed his books of *Glory*, which his necessitous master pretended to be engaged for a debt, *at any rate*; and he tells us in this very place, that there was a volume put into his hands under the falsified title of *Cicero's Hortensius*, which appeared on examination to be only the books of *Academical Disputations*, one of the *common* works of *Cicero* [z]. But what he relates in another place is very extraordinary, that he never made a journey into foreign parts, where he did not meet with, not only books of *Cicero*, which he had *never seen*, but books under such titles, as he had *never heard of* before [a]. One would be apt to suspect, that these must be swarms of *palpable forgeries*, detected perhaps, as others likewise pretending to the same antiquity were [b], by *Petrarch* afterwards. For we have heard him say a little before his death, that he was possessed of no works of *Cicero* but only a *few Orations and Epistles*, besides what were *commonly*

[y] *Librorum aliqui—periere, —magnus saeculi nostri pudor, magna posteritatis injuria profecto; namque quod in tuis conqueror, et in multorum virorum illustrium libris accidit.* Petr. Ep. ad Cicero. p. 705.

[z] Ib. p. 948.

[a] *Mihi—vix unquam peregrinatio longior suscepta est, ubi non incognitos Ciceronis, ne di-*

cam libros, sed inaudita librorum nomina compererim. Ib. p. 396.

[b] *Vide de falsitate privilegii, velut a J. Caesare concessi, Austriam ab imperio eximentis.* Rer. Sen. L. 15. Ep. 5. However in his more early life he had not detected any forgeries under *Cicero's* name. See ib. l. 2. Ep. 4.

known.

known. It is not to my purpose to mention the numerous forgeries of the next century, and especially those of the grand impostor, *Annius of Viterbo*; any farther than to acquaint the Vindicator, that as *Petrarch* and his contemporaries *inspired the learned of the succeeding ages with the same zeal* [c], which they received from their *fathers, of hunting out the works of the Antients*; so before the time of the Reformation, nay perhaps before his *six or seven, rather fragments, than intire Letters of the suspected collection* ever made their appearance in the world, a *Sophist* might be found, who could *think* (and carry his thought into execution with too much success, notwithstanding the *abilities of succeeding Critics*) of putting such a cheat upon the world. I will therefore venture to offer another conjecture,

II. THAT for fame, for money, or for other ends, or out of no fraudulent intention at all, the thought of writing our *suspected Letters* might possibly be entertained by a *Sophist* in *Petrarch's* age or the ages preceding him.

BUT after all, the Vindicator must excuse me, if I do not confine my inquiries after a *Sophist* to the later and more *barbarous* ages. He might in truth as well place him in the ages of more light and learning; for I cannot by any means admit of his principle, which is presumed to be so certain as not to need any proof, *viz. that there could be no room for a forgery of the suspected Letters as long as Cicero's genuine Letters to Brutus were in being*; which we cannot suppose to have been

[c] *Mid. Pref. Diff. p. 7.*

wholly lost in Rome and Italy, till the final declension of that Empire, and till the purity of the Latin tongue was lost [d]. It is pity he has disappointed a curiosity so natural, to know from what exquisite researches into antiquity, or from what esoteric dogma of his rational system, which he so often imposes on us, against the evidence of plain fact, he could lay it down as incontestable, that *there could be no room for such a forgery as long as the genuine Letters were in being*. One would rather think, on the contrary, that there was the *only room* for a *scholastic* imitation, which gave occasion to most Greek and Latin forgeries, when the *genuine Letters* were still in being; and if *our Letters* were an *innocent* school-exercise only, they would naturally be imputed to those, in whose names they were written, because their *genuine Letters* were in being. Thus because there were twenty-one *genuine Comedies* in being under *Plautus's* name, he had as early as *Varro's* time been intitled to some *spurious* ones, and *Gellius* tells us, that in his own time the number of Comedies under that Poet's name were about one hundred and thirty [e]. But if the forgery was intended to put a cheat upon the world, it might have the advantage of some probability (as the fictions of poets are generally founded in history) as long as there were monuments still subsisting of a *real* correspondence. One can hardly imagine,

[d] *Mid. Pref. Diff. p. 5, 13.*

[e] Feruntur autem sub *Plauti* nomine comoediae circiter centum atque triginta — Praeter illas unam et viginti, quae *Var-*

ronianae vocantur, quas iccirco a caeteris segregavit, quoniam dubiosae non erant; — quasdam item alias probavit. *Gell. Noct. Att. 1. 3. c. 3.*

that

that the Sophist would be discouraged by any scruples of modesty; for when he could entertain the thought of putting on the person of *Cicero*, he may possibly be presumed to have had the assurance of thinking, that his writings would suffer little by the comparison. Thus there being a known commerce of Letters between *Cicero* and *J. Cæsar*, somebody presumed to forge a Letter as from *Cæsar* at *Alexandria* to *Cicero* himself; and that with so much dexterity, that though it was drawn in terms so slight and general, that instead of giving him any satisfaction, it made him only suspect that it was forged [f]; yet he afterwards perceived his suspicions to be true, because it was dated the ninth of February; whereas it became known, that *Cæsar* had not sent any Letter since the middle of December before [g]. As to *Cæsar's* compositions, though *Cicero* declares them to be inimitable for their elegance and simplicity [h]; yet many attempted an imitation of them, when they were still in being, and some with a manifest intention to put a cheat upon the world. For to say nothing of the continuation of the *Commentaries*, the author of great part of which was not certainly known to the antients, and the moderns are hard put to it

[f] Life of *Cic.* v. 2. p. 142.

[g] Illum ab *Alexandrea* discessisse nemo nunciat, constatque — nec post *Idus Decemb.* ab illo datas ullas literas; ex quo illud intelligis, illud de literis a. d. v. Id. Febr. datis — non verum esse. Ep. ad Att. xi. 17.

[h] Orationes quidem ejus mihi

vehementer probantur.—Atque etiam *Commentarios* quosdam scripsit rerum suarum.—*Nudi* —sunt, recti et venusti.—Sed dum voluit alios habere parata, unde fumerent qui vellent scribere historiam;—sanos quidem homines a scribendo deterruit. Brut. c. 75.

to state the precise boundaries of the original and the supplemental parts [*i*]; it is certain, that an *Oration* pretending to have been spoken by him to the *army* just upon an *engagement* in *Spain*, was denied by *Augustus* to be genuine; and this *Oration* was quickly multiplied into *two*, the accessory one pretending to have been spoken on occasion of a *later engagement* in that country, where *Asinius Pollio* could prove that *Cæsar* did not make any speech [*k*]. Some *puerile* performances too were *current* under the same name, to which *Augustus* would not allow a place in his *Palatine* library. There is some resemblance between the fates of this great man's writings and his correspondent *Cicero's*. For the *Rhetorical* pieces to *Herennius*, which deliver the *first elements* or institutions of Oratory, are expressly ascribed to *Cicero* by many of the antients, and have been thought to be the ruder compositions of his younger years; but now the learned are generally of a different opinion, and attribute them to *Cornificius*, the *Father* or *Son*, or to some other of *Cicero's* contemporaries [*l*]. The invective

[*i*] Reliquit et rerum suarum *Commentarios*, *Gallici* civilisque belli *Pompeiani*. Nam *Alexandrini*, *Africique* et *Hispaniensis* incertus auctor est. Alii enim *Oppium* putant, alii *Hirtium*; qui etiam *Gallici* belli novissimum imperfectumque librum suppleverit. Suet. in *Caes.* 56. Tanta cum sit *Commentariorum* *Caesaris* venustas; tamen *Fr. Floridus Sabinus* tres de bello civili libros *Caesari* abjudicat;— Imo *Lud. Carrio* ne quidem se-

ptem libros de bello *Gallico* *Caesaris* esse putat. G. Voss. de Hist. Lat. p. 62.

[*k*] Apud milites quoque in *Hispania* idem *Augustus* *Orationem* esse vix ipse putat: quae tamen duplex fertur; una quasi priore habita proelio; altera posteriore; quo *Asinius Pollio* ne tempus quidem concionandi habuisse eum dicit, subita hostium incurfione. Suet. lb. 55.

[*l*] Fabric. Bibl. Lat. v. i. p. 105.

Orations

Orations under *Sallust's* and *Cicero's* name are carried up as high as *Augustus's* reign; and reputed to be the exercises of *Porcius Latro*, who used, contrary to the antient method of institution, to be the only performer in his school; on which account his scholars were called by the nick-name of *Auditors* [m]. The former of these Orations is expressly cited by *Quintilian* as *Sallust's* own [n], and his authority had so much weight with the learned ever since, that no one ventured to offer any scruple about it, till *Victorius* and one of his acquaintance led the way [o]. There is little room to doubt, but the Oration bearing *Cicero's* name came from the same hand; *Victorius* having observed it to be exactly similar to the other in sentiment and character [p]; and accordingly they are called in a very antient MS. *Controversiae*, the general title of these *declamatory* compositions. These are pregnant instances of *forgeries imposed upon the ablest critics*, under the very name of *Cicero* and an eminent contemporary writer, when their *genuine* works were still in being; and the *Vindicator* will not contend, that *Quintilian's* Authority is to be less depended on, than that of the *old Grammarian*, *Nonius Marcellus*. One would conclude

[m] Initio contumeliae causa a deridentibus discipuli *Latronis Auditores* vocabantur. Senec. Controv. 25.

[n] Quid? non *Sallustius* directo ad *Ciceronem*, in quem ipsum dicebat, usus est principio, et quidem protinus? *Graviter et iniquo animo*, etc. Inst. O-

rat. lib. 4. c. 1. vide et l. 9. c. 3.

[o] P. Victor. var. lection. 1. 15. c. 3.

[p] Si accurate autem attendimus, formamque Orationis notamus, cum *par admodum similisque sit*, ejusdem scriptoris ipsas judicabimus, etc. Ib.

from

from a passage of *Quintilian*, that *Cicero* published no Orations in defence of *Vatinus* and *Gabinus* [q]; and yet the defence of the former had become a *small oration* (like those of *Sallust* and *Cicero*) in *St. Jerom's* time [r]; but as to the fragment still remaining of *Gabinus's* defence, which I allow to the *Vindicator* to be truly *Ciceronian* [s]; he himself has well conjectured, that *Cicero's Oration* was never published, but as it was his custom to keep the minutes or rough draught of all his pleadings, in what he called his *Commentaries*, so *St. Jerom* has preserved from them a small fragment of this Speech [t]. Other Orations, and some of them of later origine, were made in like manner under *Cicero's* name upon several remarkable occasions, when *Cicero* is known either *not* to have spoken, or to have spoken, but *not* to have published his speech. Thus a small *prose-fragment* is preserved by *Nonius* out of *Cicero's Consulate* [u], concerning which *Cicero* was not permitted to speak [x]; and a whole Oration

[q] *Dixit Cicero pro Gabinio et P. Vatinio*, inimicissimis antea sibi hominibus, et in quos Orationes etiam scripserat. *Inst. Orat.* l. 11. c. 1.

[r] *Lege pro Vatinio orationunculam*, et alias ubi sodalitorum mentio fit. *Revolve dialogos Tullii.* *Hieron. Apol. adv. Ruffin.* l. 3.

[s] *Ego cum omnes amicitias tuendas semper putavi summa religione et fide, tum eas maxime, quae essent ex inimiciis revocatae in gratiam: propterea quod integris amicitiiis officium*

praetermissum imprudentiae, vel (ut gravius interpretemur) negligentiae excusatione defenditur; post reditum in gratiam, si quid est commissum, id non neglectum, sed violatum putatur, nec imprudentiae, sed perfidiae assignari solet. *Hieron. ib.*

[t] *Life of Cic. v. i. p. 511.*

[u] *Cicero Consulatu suo: Quorum luxuries fortunata censu perierit.* *Nonius in voce Censur.*

[x] *Atque ille [Metellus Nep.] — pridie Kal. Jan. qua injuria nemo unquam in aliquo magi-*

is still subsisting, which pretends to be spoken by him *before he went into banishment*. Cicero indeed *did speak* on another great occasion, the *peace* upon Cæsar's death; but yet the Oration under that title scarce ever made its appearance in any of our Editions, till a late faithful collector of the *Ciceronian remnants of antiquity* engaged in the *bold attempt* to retrieve it from oblivion, having taken Cicero's hand to be so clearly discernible in it, as to think it hardly possible that it could have been written by any body else [y]. Nor were the dealers in *controversial Rhetoric* either in antient or more modern times less assiduous in making Orations against Cicero. Asconius Pedianus, who was older than Quintilian himself, and whose authority is expressly alledged by him [z], mentions two such *invective* Orations pretended to be spoken by C. Antony and Catiline, when they were Cicero's competitors for the Consulship; at which time they *did speak* against him, but the Orations under their names were *forged* shortly after to detract from Cicero's character [a]. There are other two Orations against Cicero under Catiline's name, upon the subject of the *Conspiracy*, though Catiline did not make

stratu improbissimus civis affectus est, ea me Consulem affecit, —atque abeuntem magistratu concionis habendae potestate privavit. Ep. Fam. v. 2.

[y] Quanquam—haec Oratio vix inter alias Ciceronis reperitur, ita tamen stylum ejus et dicendi characterem refert, ut, quin illius sit, nemo plane dubitet. Merouv. Arg. in Orat. de Pace. Edit. in usum Delph.

[z] Orationem Ciceronis velut thema ipse exponens Pedianus; Argumentum, inquit, tale est. Inst. Orat. l. 5. c. 10.

[a] Huic Orationi Ciceronis et Catilina et Antonius contumeliose responderunt.—Feruntur quoque Orationes nomine illorum editae, non ab ipsis scriptae, sed ab Ciceronis obrectatoribus. Ascon. in Frag. Orat. in Toga Cand. ad fin.

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any recrimination ; as well as *Cicero's fifth* Oration against *Catiline*, and another most ample one, the property of which is asserted to *Porcius Latro* in the present Editions.

FROM *Orations* the transition is natural to *Epistles* ; there having always been a very near alliance between these two kinds of imitation of real life in the schools of the Rhetoricians. Indeed the colourings were generally so much overcharged in their *epistolary* portraits, that the distinctions of the kinds have been almost quite lost. The Vindicator takes the *Epistle to Octavius* to be a *declamation* ; and the Critics are hardly yet agreed, whether the two pieces under *Sallust's* name, addressed to *J. Cæsar* concerning the *regulation of the Republic*, are more properly *Orations* or *Epistles* ; and many of our *suspected Epistles* appear under the same *ambiguous* character. That there was room for a *forgery* of *Letters* under the names of antient writers as long as their *genuine Letters* were in being, might be proved from a variety of instances, in classical as well as ecclesiastical antiquity [b]. But to confine ourselves to the special case of the *Epistles* of *Cicero* and *Brutus* ; the *Epistle to Octavius* is allowed, by the *ablest Critic that ever lived*, to be *antient*, and

[b] See an *Epistle* as from *Cornelius Nepos* to *Sallust* recommending his pretended *Latin translation* of *Dares Phrygius* : yet *Nepos's* genuine *Epistles* were extant in *Lactantius's* time, [Inst. Div. l. 3. c. 15.] and there were *two books* of *Epistles* between him and *Cicero*. There were spurious *Elegies* and

a *prose Epistle* to *Mæcenæ* under *Horace's* name, as early as *Suetonius's* time. Vit. Horat. See the spurious *Epistles* of *St. Paul* and *Seneca*, which were seen by *St. Hierom* ; and other *antient apocryphal Epistles*, etc. in *Fabric. Cod. Apocryph. Nov. Test.* tom. ii. p. 892, etc.

yet it is certain, that at least *three Books* of Cicero's genuine Letters to the same *Octavius* were in being in *Nonius's* time [c]. Nay, we may go still higher than this old *Grammarians*. There are Letters of Cicero referred to by *Ausonius*, which the Vindicator must either allow to have been *spurious*, or he cannot maintain his judgment as a Biographer, who charges *Dio* with *absurdly grounding some little scandal on Cicero's particular familiarity and correspondence of Letters with Cærellia*, though he owns her to have been *seventy years old* [d]. For these Letters to *Cærellia*, which *Ausonius* describes, were distinguished for their spirit of *amorous gallantry* [e], and therefore with our common consent the poet and his sprightly comrades shall be answerable for them; except we would rather assert with *Gronovius*, that they were forged before this time, perhaps upon the plan of *Calenus's* speech in *Dio*, which suggested the *little scandal of Cicero's particular familiarity with Cærellia* [f]. I would only observe, that the original correspondence of Cicero and this *philosophical Lady* was once in being and well known to the Antients; and therefore by a rule of the Vindicator, *we cannot suppose it to have been wholly lost in Rome and Italy till the final declension*

[c] Nonius in voc. *Invehi*.

[d] Life of Cic. v. ii. p. 516.

[e]—*Esse Apulejum in vita philosophum, in epigrammatis amatorem; in praeceptis [Ciceronis] extare severitatem, in epistolis ad Cærelliam subesse petulantiam.*—The vulgar reading is—in praeceptis omnibus,—but the Critics supply the name *Ciceronis*, which the context

necessarily requires; and it seems to have been corrupted into *omnibus*. Vide Gron. et Graev. not. in Auson. Cent. Nupt. in fin.

[f]—*Si tamen illae Ciceronis Epistolae fuerunt, et non lascivientium ingeniorum; quales qui in eum Sallustii, et in Sallustium ejus declamationes subjecerunt.* Gron. in loc. Vide Dion. Hist. Rom. p. 303.

of that Empire [g]. Quintilian cites one of Cicero's Letters to her, of a more serious turn, where he is accounting for her quiet submission to Cæsar's usurpation, and says, that *these things must be borne, either with the soul of a Cato, or with the spleen of a Cicero*. [h].

IF we pass over to Brutus, we shall find that a still more early Sophist had been forging Letters for him, and, what is more, Letters supposed to be written in that very busy period, which the Vindicator has set out for eight books of correspondence with Cicero, all in being until Nonius's time [i]. Plutarch tells us, that Brutus was a well-accomplished Latin orator for military harangues and judicial pleadings; but that his Greek composition, in some of his Epistles, was faulty, through the affectation of a Laconic and apophthegmatical manner [k]. He then gives a specimen of Brutus's manner in three Greek Epistles to the cities of Greece, from which he was raising contributions; and concludes with observing, that *this is the character of his short Epistles, which are faulty in the composition*. In imitation of this specimen, which was given by Plutarch, and upon the plan of Brutus's commerce with the tributary cities, represented chiefly by that Historian in his Life, it is not unlikely that the collection of Brutus's Greek Letters was framed, which is in being at this

[g] Mid. Pref. Diff. p. 5.

[h] Cicero Caerelliae scripsit, reddens rationem cur illa C. Caesaris tempora tam patienter toleraret; *haec aut animo Catonis ferenda sunt, aut Ciceronis stomacho*. Inst. Orat. l. 6. c. 3.

[i] Mid. ib. p. 4.

[k] Ῥωμαῖσι μὲν ἔν ἡσκέειο πρὸς τὰς ἐξόδους καὶ τὰς ἀγῶνας ἱκανῶς ὁ Βρῦτος. Ἑλληνιστὶ δὲ τὴν ἀποφθειγματικὴν καὶ Λακωνικὴν ἐπισηδεύων βραχυλογίαν ἐν ταῖς ἐπιστολαῖς ἱναχθῆ παρὰσημὸς ἐστίν. In Brut. init.

day; but these like the Vindicator's *six or seven*, rather fragments than intire Letters, where they are found, are jumbled together confusedly, and read with little or no regard; if indeed they are read at all. One thing may be observed concerning them, that the *first* instance in *Plutarch* continues to obtain the *first* place in the collection, into which the other instances are likewise inserted, as if it was proposed for the imitation of *some boy*; and we find *Photius*, many ages after, proposing them to his Friend, together with *Phalaris's* Epistles, for a *ready course of exercise* towards attaining to the *artificial character, of epistolary writing* [l]. This judicious discernor of *genuine* and *spurious* pieces mentions the latter collection of Epistles as *ascribed only to Phalaris*; and he characterises the other collection as *being inscribed with Brutus, the Roman General's name*; by which he intimates his opinion, that the Epistles were not *really his*. Thus *Cicero* himself inscribed his book of *famous Orators*, and *Empulus* his treatise of *Cæsar's murder* with the name of the same *Brutus* [m]. Now these are the Letters of *Brutus*, not the *Latin* Letters of the *suspected* collection, as the Vindicator will have it, which *Erasmus* seems to rank in the same class with those of *Phalaris*, (so *Photius* ranked them long before, and so they continue together in many Editions to this day) as the *declamatory compositions of some Sophist*; and

[l] Ἐχεις δ', ἵνα μηδὲ μακρὸν ἢ σοι τὸ τῆς γυμνασίας γάδιον, τὰς εἰς Φάλαριν ἐκείνου, οἶμαι, τὸν Ἀκραγάνηιον τύραννον ἀναφερομένης ἐπιστολὰς· καὶ αἷς Βρῦτος Ῥωμαίων στρατηγὸς ἐπιγράφεται.

Phot. Ep. 207.

[m] Ὁ δὲ Ἐμπυλος—καὶ λέλοιπεν μικρὸν μὲν, ἢ φαῦλον δὲ σύγγραμμα περὶ τῆς Καίσαρος ἀναιρέσεως, ὃ Βρῦτος ἐπιγέγραπται. Plut. ib.

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therefore he *might have spared his learned surprise*, that *Erasmus, upon another occasion, should cite the very same Latin Letters, without intimating the least suspicion of them* [n]. But the Greek Letters of Brutus were still more disrespected than the Latin ones, in that they lay unanswered, till a *professed Sophist under the name of Mithridates, admiring the peculiar dignity, or majesty, of sentiment and style in them* [o], and being well aware of their *impatient, querulous, dogmatic manner, agreeable to the fierceness and haughtiness of Brutus's nature* [p]; attempted to reply with an equal conduct and sublimity, and has not ill expressed *all the calmness, prudence and management of Brutus's temper, that we should expect from the distracted cities in that crisis of their affairs, when all their views were bent upon securing themselves from the resentment of the Conqueror*. But I mistake after all, if the Vindicator has not taken his ideas of the *fierceness and haughtiness of Brutus's nature* from the agreeable representations of the Greek and Latin Sophists. In his Life of Cicero he builds on this *suspected* foundation alone the *churlishness and morose arrogance* of this excellent person, his *claiming infinite honours to himself and allowing none to any body else* [q], and such an heap of inconsistencies with his professed principles and the whole tenor of his actions, as a man of sense would hardly swallow down upon the credit of com-

[n] *Mid. Pref. Diff. p. 9.*[o] Τὰς Βρούτου θαύματα πολ-
λάκις Ἐπιστολάς, ἢ μόνον δεινότη-
τος καὶ συντομίας χάριν, ἀλλὰ καὶ
ὡς ἡγεμονικῶ φρονήματος ἐχέσαςχαρακτῆρα. Mithrid. Praef. ad
Brut. Ep. Gr. Conf. *Mid. Pref.*
Diff. p. 115.[p] *Mid. ib. p. 116.*[q] *Life of Cic. v. ii. p. 487.*

mon history [r]. Whereas *Brutus*, though he was once *querulous* indeed, when he thought he had reason to complain of *Cicero's* Provincial negotiations and decrees; yet is every where spoken of in history, as a Person of uncommon moderation, *humanity*, and *communicativeness* [s]; and the Biographer himself, when he can attend to substantial and notorious facts, instead of his *unauthorised* materials of history, can relate, *that Brutus being of a temper more mild and scrupulous, contented himself generally with the regular methods of raising money; from his love of philosophy and the politer studies, having contracted an affection for the cities of Greece* [t]. It may be questioned too, whether the Sophists themselves did not take the measure of *Brutus's* temper from the mistaken character of his eloquence, which was *forcible* and *affecting*, by its honest and resolute frankness, and supplied the want of imagery and embellishment by solidity of reason and sometimes too great closeness of sense. This very probably was the reason of *Cicero's* complaint of obscurity in his compositions; as may appear from an example of his manner preserved to us by *Quintilian* [u]: though the modern apologists for the *obscurity*, or

[r] Life of *Cic.* v. ii. p. 472.

[s] Βρῦτον δὲ λέγουσι δι' ἀρετὴν φιλεῖσθαι μὲν ὑπὸ τῶν πολλῶν, ἐρᾶσθαι δ' ὑπὸ τῶν φίλων, θαυμάζεσθαι δὲ ὑπὸ τῶν ἀρίστων, μισεῖσθαι δὲ μηδ' ὑπὸ τῶν πολλομένων ὅτι πρῶτος ὁ ἀνὴρ διαφερόντως, καὶ μεγαλόφρων, καὶ πρὸς ὀργὴν καὶ ἡδοιὴν καὶ πλεονεξίαν ἀπαθής, ὅρδιον δὲ τὴν γνώμην καὶ ἀκαμπτον ἐστῶσαν ὑπὲρ τῆς καλῆς καὶ δίκαιης διαφυλάττων, καὶ μέγιστον

ὑπῆρχεν αὐτῷ πρὸς εὐνοίαν καὶ δόξαν ἢ τῆς προαιρέσεως πείσις. Plut. in Brut. p. 997.

[t] Life of *Cic.* ib. p. 470.

[u] Quale apud Brutum de dictatura Cn. Pompeii; *Praestat enim nemini imperare, quam alicui servire; sine illo enim vivere honeste licet, cum hoc vivendi nulla conditio est.* L. 9. c. 3.

rather want of *Grammar* in the *Latin* Epistles under his name, would charge it to the peculiar genius of *Brutus's style* [u].

IT is upon the credit of the same suspected *Vouchers*, which, for an obvious reason, the *Vindicator* of *Cicero* will needs call the *best* [x], that he gives us the contrast of *Cicero's extensive view and true judgment of things, tempered with the greatest politeness and affection* [y]; and *lays open the whole progress of Cicero's management, of Octavius in particular, from the time of Cæsar's death, in order to shew the reasonableness and necessity of each step* [z]. And yet, as *Vindicator* of the Letters, he finds it convenient to deny, that one *end* of the forgery, which I *provided for the Sophist*, might be to *vindicate Cicero's character from the imputation of rashness, in throwing too much power into the hands of Octavius* [a]. But though he *thought* this end *ridiculous*, when it was mentioned to him *once*, he says, *in a conversation, and freely told me so*; yet I will venture to assert it again, because he has since told me otherwise. For he has full as *freely told* me, that I would *sacrifice all regard to Cicero's character to the support of this favourite hypothesis* [b], viz. that the Letters are *spurious*. He adds, *Against whom then could this Sophist mean to defend Cicero?*

[u] Nunc agendum est, ne frustra oppressum esse Antonium gavisi simus, neu semper *primi cujusque mali excidendi causa* sit, ut aliud renascatur illo *pejus*. Ep. Brut. i. 4. *Obscure dictum ac intellectu difficile*, ut minus equidem mirer, *Bruti sensum nonnunquam ne ipsum quidem Ciceronem assequi potu-*

isse. Veruntamen loci hujus, *si quis est*, hic mihi videtur. Malasp. in loc.

[x] Life of Cicero, v. ii. p. 473.

[y] Ib. p. 487.

[z] Ib. p. 474.

[a] Pref. Diff. p. 17.

[b] Ib. p. 33.

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Why, truly, against himself. For no body ever accused him but the author of these Letters, or no body, he ventures to say, who had not first read and believed them to be genuine; and therefore, if I will be consistent, I must introduce two Sophists instead of one; the one to arraign, and the other to defend Cicero [c]. I believe he himself will be obliged to introduce two authors of the Letters under Cicero's name, if he will account for the inconsistencies in fact between the eighteen scattered Letters, which were published in the first Editions, and the six or seven more, rather fragments than intire Letters, which happened to be found many years after in Germany. But it is easy to maintain, from the immemorial practice of the Profession, the simplicity of the Sophist under the personated characters of both Plaintiff and Defendant; and if the principal defence of Cicero is the most trifling and contemptible Letter in the whole collection [d], it is no more than what might be expected from the Sophist's zeal, since he would lay open, as the Vindicator has told us, the whole progress of Cicero's management, and therefore talk of a great variety of facts and affairs which he knew little of. That no body ever accused Cicero but the author of these Letters, is not very consistent with telling us farther, that some old writers say, that Cicero was duped and drawn in by Octavius, to favour his pretensions to the Consulship, by the hopes of being made his colleague, and governing him in the office [e]; but the contrary, continues he, is evident from several of his Letters, i. e. to Bru-

[c] *Mid. Pref. Diff.* p. 17, 18. [e] *Life of Cicero*, v. ii. p. 456.

[d] *Ib.* p. 118.

tus : and if this is so evident from the Letters, the Vindicator surely will not venture to say, that these old writers had first read and believed them to be genuine. But after all, he will not penetrate into the whole mystery of Cicero's defence, which does not so much consist in the many Letters, in which Cicero professedly lays open over and over again the whole progress of his management, as in the supposition of affairs, on which the whole collection is founded. It is asserted in the *Life of Cicero*, that Octavius seems to have formed the plan of his power from the moment of the victory obtained before Modena [f] ; and this is the commencement of the sovereign action of the Letters. It is the first source of suspicion to both the corresponding parties concerning Octavius's affection to the Republic, and plentifully supplies the topics both of accusation and defence. But as there is some reason why the Vindicator should complain, that Cicero's character is sacrificed to the support of the hypothesis of the Letters being a forgery ; so whether the Sophist employed his worthy pains out of a real regard for Cicero's character, or because the poverty of his invention obliged him to place this great affair later, as he has placed many others sooner than the truth of history will admit of, in order to furnish out a decent correspondence for four months ; I do not esteem myself greatly concerned to decide,

I would farther observe, that Plutarch gives an intimation of other, even Greek, Epistles of Brutus, which were then in being, and not written in the same apophthegmatical manner ; and he had just be-

[f] *Life of Cic.* v. ii. p. 436.

fore

fore mentioned the *Epistles* of Brutus and his friends who seem to have been his domestics and Greek masters in the studies of Philosophy and Eloquence [g]. We have no less certain traces, in early history, of the *Latin* imitators of Cicero's works, and especially of his *Epistles*. One person, indeed, is distinguished from the rest and described under such a character, that we may easily believe he would not scruple an imitation of the writings and *Epistles* of both these great men. This is the renowned *Julius Titianus*, whose Son, of the same name, is mentioned by *Julius Capitolinus* as Preceptor in Oratory to *Maximine* the younger about A. D. 228 [h]. The Father then must be placed somewhere under the *Antonines*, and is said by the same Historian to have written some excellent pieces, and to have been called the *Ape of his time*, because of his talent at imitating every thing. He was otherwise called the *Ape of Orators*, because he affected the manner of speaking of the *Antients*; nor did he confine his imitation to their oratorical manner, but joined the sister-art of *epistolary* writing, where Cicero's *Epistles* became the great original of course. There is a curious passage in an epistle of *Sidonius Apollinaris*, which acquaints us with the history of the whole affair, and from which *Petrarch* appears to have taken the occasion of misrepresenting that

[g] Ἑλληνιστὶ—ἐν ταῖς Ἐπιστολαῖς ἘΝΙΑΧΟΥ παρὰσημῶς ἔστιν.—Ἐμπυλος, ὃ καὶ αὐτὸς ἐν ταῖς ἐπιστολαῖς καὶ οἱ φίλοι μνησθῆναι πολλάκις ὡς συμβεβηκός αὐτῷ.—Vid. supra. In Brut. init.

[h] Maximinus junior—u-

fus est—oratore Titiano filio Titiani senioris, qui Provinciarum libros pulcherrimos scripsit, et qui dictus est *simia temporis sui*, quod cuncta imitatus esset. Jul. Cap. in Maxim. jun. Vide Casaub. not.

valuable writer as a *despiser of the Ciceronian eloquence* [i]. *Sidonius* tells his friend, that in making the collection, which was desired from him, of his own Epistles, he would presume to imitate the *periods* of *Symmachus* or the *ripeness* and *scholar-like manner* of *Pliny*; “but *I had better say nothing*,” says he, “as to *Cicero’s epistolary style*, which “has not been altogether successfully imitated even “by *Julius Titianus* in his writings of that kind, “under the names of eminent persons: on which account the name of the *Ape of Orators* was given “him by his fellow-disciples of the orator *Fronto’s* “school, who envied his practice of a manner of “speaking in imitation of the *Antients* [k].” It is probable, that *Titianus* gave little regard to the detraction of the *rival-tribe*, and would train up his own scholars in the same course of *Ciceronian imitation*; especially since his *Son* became so distinguished a Professor [l], and his own writings continued in great reputation for a considerable time. For we find him ranked, four centuries afterwards, with the best *Latin* writers of *rhetori-*

[i] Ille tamen [*Sidonius*] adducit nescio quem *Julium Titianum* et nescio quos *Frontonianos*, suae *irrissonis* auctores. Petrarch. Praef. in Ep. de Reb. Fam. p. 569.

[k] Nam de *M. Tullio* filere me in *stylo epistolari* melius puto, quem nec *Julius Titianus* totum sub nominibus illustrium *foeminarum* digna similitudine expressit. Propter quod illum caeteri quique *Frontonianorum*, utpote confectaneum aemulati, cur veteranosum dicendi genus

imitaretur, *orum simiam* nuncupaverunt. Sidon. Ep. 1.—*Casaubon* conjectures, that *personarum* is the right reading instead of *foeminarum*. Not. in J. Capit. p. 187. For an account of *Sidonius’s* great success in imitating many writings of the *Antients*; see *Joan. Saresb. Policrat.* l. 8. c. 21.

[l] His scholar *Maximine* is said to have been by him—*Literis*—*Latinis* imbutus ad *primam disciplinam*, etc. Jul. Cap. ib.

cal institutions, *Cicero* and *Quintilian* [m]; and *Servius* gives us an example or two of his *Controversiae*, from which it appears to have been his practice to write *Orations*, as well as *Letters*, under a personated character [n].

BUT it may be a surprise to the Vindicator to be farther told, that a little after this very period, in which *Titian* flourished, there was an *Imperial* imitator of *Cicero*'s writings, who was so far from entertaining the modern opinion, that *there was no room for a forgery* of the *suspected* collection of *Cicero*'s Letters, as long as the *genuine Letters* were in being; that he composed several pieces, and inscribed his compositions with the *titles* of *Cicero*'s books, upon no other account than because they were in being, and therefore thought fit to be put out of countenance [o]. This was a fine encouragement to the Sophists, who were not apt to be backward of themselves, to carry their imitation farther than the *Poems* of *Cicero*. So that, should the Vindicator be allowed to be right in his conjecture, that the *genuine* collection of Letters between *Cicero*

[m] Haec — disciplina a Graecis inventa est, — et translata in Latinum, a Tullio videlicet et Titiano et Quintiliano. *Isid. Rhet. l. 1. c. 2.*

[n] Et Titianus et Calvus — in exemplo controversiarum has duas posuerunt adlocutiones, dicentes, Venerem agere statu absoluto, cum dicit Junoni, Tu causa fuisti periculorum his, quibus Italiam fata concesserant: Junonem vero niti statu relativo; per quem ostendit, Trojanos non sua causa laborare, sed Ve-

neris. *Serv. in Virg. Aen. l. x. v. 18.*

[o] Adolescens quum esset Gordianus [senior, id est, primus] — poemata scripsit, quae omnia extant, et cuncta illa quae Cicero ex Demetrio et Arato et Alcyonas et Uxorium et Nilum: quae quidem ad hoc scripsit, ut Ciceronis poemata nimis antiqua viderentur. *Jul. Cap. in Gord. tribus.* — *Casaubon* reads *et de Mario* for *ex Demetrio*, and *Limon* for *Nilus*.

and

and *Brutus*, which were still in being, did really contain their correspondence of the period between the time of *Cæsar's* and of *Cicero's* death; I do not yet see, that there could be no room for a forgery of the suspected Letters, the first of which seems to have been written about the end of the year in which *Cæsar* was killed [p]. However I must confess, that generally the charitable end of a Sophist is to repair the loss of the monuments of antiquity, or to continue and supply them when they do not precisely answer to his ideas of perfection and integrity; and therefore I pointed out an end, which the Sophist might possibly have in view in forging the suspected Letters; namely, to draw up an epilogue or supplement to the Epistles to *Atticus*, so as to carry on the history where those to *Atticus* dropt it [q]. *Annius of Viterbo* might be a Restorer, but our Sophist may be content with the lower title of a *Continuator*, but whether of the Letters to *Atticus* or *Brutus*, there shall be no dispute between the Vindicator and me; for I shall shew, that there was a noble scope for a supplement in either case. Should he then confine the Sophist to the Letters to *Brutus* (which is full as natural, and he does not seem to have often come fresh from the study of the Letters to *Atticus*) it will not be the loss of the eight books of these Letters originally subsisting, which suggested the thought of forging others in their stead; though this is supposed to be the only possible case of a forgery [r]: but the subsisting of those books, which required

[p] *Mid. Pref. Diff. p. 4.*[r] *Pref. Diff. p. 16.*[q] *Ep. ad C. Mid. p. 193, 4.*

the *history* to be *carried on* from the time of *Brutus's* last departure out of *Italy* to the time when he entered upon action again, or rather when the Sophist knew where he was to be found; and that in *Epistles*, *unconnected* indeed, but sufficiently crowded for the space of *four months*, with *some pieces or fragments*, which might be intended to appear *the ruins of a greater work*. Thus the *Latin Sophist* will go hand in hand with the *Greek one*, and the one entertain us with a series of civil and political, the other of negotial and provincial administration; and the judgment of them both is to be highly commended, for taking *Brutus*, *the greatest man who lived in the Republic*, and *who soon after died for it* [s], at a time when he was *at the head of the most important and critical affairs in which a mortal could be engaged*, and *on which the fate of Rome depended* [t]. The expediency of such a conjuncture, if we can shew it to be fact, or even the many facts of forgery alledged upon this head without such a conjuncture, will enable me at least to assert,

III. That there might be *room for a forgery* of the *suspected Letters* even while *Cicero's genuine Letters to Brutus* were in being.

That the Sophist really had the advantage of such a conjuncture will appear from examining the Vindicator's account of the original *collection of Letters between Cicero and Brutus*.—Nonius Marcellus, says he, *cites a passage from the first, and another from the eighth book of them*. This collection then consisted of eight books, all of them probably

[s] *Mid. Pref. Diff.* p. 2.

[t] *Ib.* p. 101.

written

written between the time of Cæsar's and of Cicero's death: for the passage that Nonius cites from the first book is found in the first of these *Epistles* now remaining, which seems to have been written about the end of the year in which Cæsar was killed [u]. —The circumstance of Nonius's citing both a seventh [x] and an eighth book of Cicero's Letters to Brutus, where there is no reason to suspect the genuineness of that Grammarian's text, is sufficient of itself to evince the reception of so many books under that character in Nonius's time. Nay, it is allowed to be sufficient to evince the authority of these or any other antient books, when their authority is not justly questionable from no less considerable circumstances, from the testimony of better vouchers, or from the character and contents of the compositions themselves. But if the Vindicator will insist, that the passage, which is found in the first of these *Epistles* now remaining, is cited by Nonius from the first book of Cicero's Letters to Brutus; I will engage to shew him, upon his own principles, either that the passage in question has been foisted into the text of Nonius, where there is little need of it [y], as it has frequently happened to books of this Dictionary-kind [z]; or rather that such citation of it is a circumstance sufficient of itself to evince the spuriousness of the *Epistle* in which the passage is found. In the mean time, I am enabled by a curious observer and excellent judge of various *lectiones* to restore, as there is the greatest

[u] *Mid. Pref. Diss.* p. 4.[x] Non. in voc. *Experiri*.[y] Vide Non. in voc. *Amare* et *Diligere*.[z] *Vid. Fabric. Bibl. Lat.* v.ii. p. 441. not. a. de Isidori libris primo et tertio *differentiarum*, etc.

reason to believe, the *true* reading of *Nonius's* citation ; from which it appears, that the *Epistle now remaining* belonged to a collection under the name of the *ninth* book of *Cicero's* Letters to *Brutus* [a]. Thus the *Vindicator's* whole hypothesis of *eight* books of Letters *between these two great men, all of them written between the time of Cæsar's and of Cicero's death*, falls at once to the ground, being built on no other foundation than *Nonius's* citing from the *first* book a Letter *now remaining, which seems to have been written about the end of the year in which Cæsar was killed*. And as this Letter is observed to obtain the *first* place in our *suspected* collection, so we shall find, that it might very fitly be *intended* by the *Sophist* to *carry on the history where the genuine Letters dropt it*, and evinces the amplest room for a *forgery* of an *Epilogue* or *supplemental* book to the original collection, which consisted of *eight* books [b].

[a] Non. in voc. *Amare et Diligere*.—Mr. Markland has in his possession *Jofias Mercer's* edition of *Nonius Marcellus*, collated with a MS. or MSS. by *Steph. Baluzius*, where the reading of the passage in question is: "Et Lib. viiii. Lucilius Clodius tribunus plebis, etc." in which manner, Mr. Markland observes, that number is often expressed in MSS. as in *Gellius*, xv. 7. ed. Gronov. *Paterc.* ii. 61. ed. Oxon. 1711, 8^{vo}, and *Cic. Ep. Fam.* xiv. 18. ed. Graev. Amstel. 1689, 8^{vo}. The same very learned person observes farther, that *Lucilius* for *Lucius* is without doubt a mistake of the Transcriber, because *Luci-*

lius and *Clodius* are both of them *Gentilia*, and therefore cannot subsist in the same person, unless he had been adopted; and then it must have been *Lucilius Clodianus*; as one adopted out of the family of the *Valerii* into another, would be called *Valerianus*; out of the *Octavii*, *Octavianus*: which was the case of *Augustus*, whom we commonly call *Octavius*. In an antient MS. likewise of *Nonius*, which is now in the Library of *Corpus Christi* College in *Cambridge*, the reading is very fair and distinct—"et lib. viiiij Luck Clodius—."

[b] We may form a very probable conjecture from these
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BUT since the Vindicator may perhaps revive the antiquated plea of *immemorial possession* in behalf of the vulgar reading of Nonius's text, I readily admit it for once, having preferred the MS. reading, because I was *more sollicitous to establish the truth than any hypothesis* [c]; as will speedily appear. The reason alledged, why the *eight books* of Letters were all of them probably written between the time of Cæsar's and of Cicero's death is, that the Letter cited from the *first book* seems to have been written about the end of the year in which Cæsar was killed. Here then it is supposed, that the genuine Letters between Cicero and Brutus were digested into *eight books*, according to the order of time in which they were written. In consequence it must be maintained, that *seven books* at least of those Letters, and perhaps a great part of the *first book* too (for the passage which Nonius cites is found in the first of these Epistles now remaining) were written after the end of the year in which Cæsar was killed. And must not these two great men have had little to do in that busy period, especially if the Letters in dispute may be looked upon as a specimen of their correspondence? I defy the Vindicator to find any period of Cicero's correspondence with any one of his friends, which could produce such a number of books within the compass of a year. His corre-

different readings of Nonius's citation, if it be really genuine, that Nonius made it from a collection which went under the name of a ninth book of Cicero's Epistles to Brutus; and that the same collection, being found in

many copies separate from the original eight books, might likewise go under the name of a first book.

[c] *Mid. Pref. Diff.* p. 64. not. 1.

spendence

spondence with *Atticus*, which was many times carried on at so small a distance that they could receive Letters from each other every day, was continued with few interruptions through the course of twenty-five years; and yet the *original* collection of their Letters, of which the present one falls considerably short [d], consisted only of *sixteen* books [e]. But *Brutus* was all the period of this *busy* year seldom nearer to *Rome* than *Athens*, or the province of *Macedonia*; and, at the time which is most fruitful of the *pretended* correspondence, was even about passing over into *Asia*; and through the whole of it so perpetually in motion, that a regular correspondence with *Cicero* must be utterly impracticable. Here then, if the Vindicator had *reflected on the circumstances in which Brutus then was; at the head of the most important and critical affairs in which a mortal could be engaged, and on which the fate of Rome depended, he must have thought, that the less which was said of affairs, with which the suspected Letters abound and impertinently repeat over and over again, must needs be the better* [f].

If we pass on to the plain matter of fact; neither *Brutus* nor *Cassius* seem to have made *Cicero* at all acquainted with the route which they proposed to take upon their leaving *Italy*, much less with their real intentions as to their entering upon any

[d] Nemo autem miretur, nos interdum *manco*s et *decurtato*s esse hos libros credere. Victor. in Ep. ad Attic. i. 12. See likewise a reference to an Epistle now lost, Ep. 14.

[e] — *Sexdecim volumina* epistolarum, ab Consulatu ejus usque ad extremum tempus ad *Atticum* missarum.—Nep. Vit. Attic.

[f] *Mid. Pref. Diff.* p. 101.

vigorous measures in defence of the Republic [g]. This is exactly agreeable to what *Plutarch* relates, upon the authority of *Brutus's* genuine Letters; from which it appears, not only that *Brutus* went away greatly dissatisfied with *Cicero's* espousing the interests of young *Octavius*, but that he expressly declared to *Cicero*, that, *as to himself, he had not made any determined resolution, either to engage in the war, or to sit still* [h]. Nay, *Atticus*, who was much more intimate with *Brutus* at all times, and especially at this period, in which he very liberally supplied both *Brutus* in his absence and his family at *Rome* [i], knew nothing at all of him towards the latter end of the *October* of that year in which *Cæsar* was killed [k]. We cannot collect from *Cicero's* Letters to *Atticus*, that either of them received any Letters from *Brutus* or heard any thing of him afterwards, that is, till about the middle of the *November* following; and after the beginning of the *February* of the next year, it is plain from *Cicero's* Letter to *Cassius*, that no authentic accounts had come to *Rome* concerning *Brutus's* military preparations or successes in *Macedonia* [l].

[g] Quam volent illi cedant, otio consulentes. Phil. ii. 44. Spes est omnis in vobis, qui si idcirco abestis ut sitis in tuto, ne in vobis quidem. Ep. Fam. xii. 2. Tu quid ageres, quid acturus, ubi denique esses, nesciebam. *Fama* nuntiabat te isse in *Syriam*. Ep. 4.

[h] *Plut.* in *Brut.* p. 994.

[i] *Atticus* — abjecto *Bruto* Italiaque cedenti *LLS.* centum millia muneri misit; eidem in

Epiro absens trecenta jussit dari. *Nep. Vit. Att.* Tu vero facis ut omnia, quod *Serviliae* non dees, id est *Bruto*. Ep. Att. xv. 17. Conf. *Nep.* ib.

[k] De *Bruto* te nihil scire dicis, sed *Selicia* venisse *M. Scaptium*. Ep. Att. xv. 13.

[l] De *Bruto*, quo propius est, eo firmiora videntur esse quae nuntiantur. — Exercitum praeter spem existimamini comparasse. Ep. Fam. xii. 4.

The Vindicator himself relates farther, that *the Senate had heard nothing of Brutus and Cassius, from the time of their leaving Italy till Brutus now sent public letters to the Consuls, giving a particular account of his successes* [m]. It is remarkable, that though Cicero's Son, who was Lieutenant in Brutus's army, had an honourable mention made of him in these *public letters* [n], (and Plutarch takes notice of it as a thing extraordinary in Brutus, that he shewed great respect to the Son, notwithstanding the offence he had taken at the Father [o]) yet Cicero does not mention, in his speech on that occasion, his receiving any *private Letter from Brutus*; a circumstance which he would hardly deny himself the honour of, as may be seen in a similar case [p]; especially when he takes particular care to inform the Senate of his great intimacy and friendship with Brutus [q]. Brutus's Expresses arrived at Rome a few days after the date of Cicero's Letter to Cassius [r]; by which time Brutus probably might have heard of the extraordinary honours which Cicero decreed to Octavius on the first of January, and these public measures, according to the Vindicator, that Cicero entered into with relation to Octavius, were the foundation of what Brutus took occasion to reproach him with many months after [s]; and hence, I

Conf. Phil. viii. 2. et Non. in voce Sagum.

[m] Life of Cicero, v. ii. p. 363.

[n] Phil. x. 6.

[o] Plut. in Cic. p. 883.

[p] — Quas [literas] mibi

missas ab Hirtio Cos. modo accepi. Phil. xiii. 10.

[q] Phil. x. 1.

[r] Conf. Phil. viii. ut supra, et Phil. x.

[s] Mid. Pref. Diff. p. 43.

think, we may conclude, that he had little correspondence with *Cicero* in the mean while. Thus far at least we are expressly told, that, *while Cicero was exerting all his pains and authority at Rome, to support the tottering Republic, and making it his particular care to strengthen the hands of Brutus and Cassius, he was surprized to see Brutus so reserved in his Letters on that head, and studiously avoiding to take any notice of his Acts; which clearly implied, that there was something in them that displeased him. Atticus therefore had been employed to sound him about the latter end of May [t]. That Cicero indeed wrote to Brutus before this time, advising him to kill C. Antony, Plutarch relates from hearsay, as I formerly observed [u]; and I must inform the Vindicator farther, that Cicero certainly did write Letters afterwards, inviting him to bring his army into Italy. D. Brutus had suggested the thought to Cicero about the middle of May; to which Cicero answers, that as to sending for Brutus, he was of the same opinion [x]. Accordingly Cicero did write to that effect in several Letters to Brutus; but had received no answer from him, nor indeed knew any thing of him, on the eighteenth of June [y]; and after the end of that month was in great mistake about him, for he expected him in Italy immediately [z]. Cicero nevertheless, in the suspected correspondence, begins to drop the first*

[t] *Mid. Ep. of Cic. p. 102. not. 1. and p. 107. not. 18.*

[u] *Ep. ad C. Mid. etc. p. 229.*

[x] *Ep. Fam. xi. 14.*

[y] *De Bruto autem nihil adhuc certi: quem ego, quemad-*

modum praecipis, privatis literis ad bellum commune vocare non desino. Ep. 25.

[z] *Persuade tibi — vos expectari, Brutum quidem jam jamque. xii. 10.*

hint, that Brutus's army might possibly be wanted in Italy, in a Letter dated April 22. [a]; and Brutus, on the other hand, answers very punctually both to this and the following Letter of Cicero, dated May the 5th [b]. And as the correspondence appears to be carried on little before the interval in which the true Cicero knew nothing of Brutus, so the true Cicero expected Brutus in Italy at a time when the suspected Cicero had received no Letters from Brutus, nor so MUCH AS ANY REPORT to inform them, that Brutus was bringing his army into Italy [c]. There is however this agreement between the genuine and suspected Letters of Cicero, that though Brutus is pressed very earnestly in them both to bring his army into Italy, yet he never answers a syllable upon this single head. Octavius entered on his Consulship in the month of August; and whether Cicero's precipitate rashness in contributing so much to Octavius's greatness, or his tame submission to his power, or both these together gave the occasion; it is certain, from the very words of Brutus preserved to us by Plutarch, that he had conceived such an inexpiable indignation against Cicero, that he was rather ashamed for that conduct, which was the real cause of Cicero's death, than sorry for his miserable end [d]. Let now the Vindicator bring his eight books of Letters within the limits of this busy year, and apply them to the situation of Brutus, whether with regard to his friend Cicero in

[a] Mid. Ep. p. 61. not. 7.

[b] Ep. Brut. i. 4, 6.

[c] Ep. ad Brut. 10.

[d] Βεῦτος δὲ τῆς Κικέρωνος

τελευτῆς τῇ αἰτίᾳ φησὶν ἀισχύνε-
σθαι μᾶλλον, ἢ τῷ πάθει συναλγεῖν.
Plut. in Brut. p. 996.

particular, or to the absolute uncertainty of his military expeditions, and variety of fortunes, and *most important and critical affairs, in which a mortal could be engaged*: nay, let him give me any proof, besides the *suspected* collection, of any one Letter coming from *Brutus* to *Cicero* in the whole of this period; whereas *Plutarch* cites several Letters of the same *Brutus* to his friends at *Rome*, which were written partly at the *beginning*, and partly at the *conclusion* of it; which is a negative proof at least, that no *Latin* Letters of his *intermediate* correspondence were extant in *Plutarch's* time. I shall therefore leave this conclusion to his farther consideration,

IV. THAT the Letter cited by *Nonius*, and which *seems to have been written about the end of the year in which Cæsar was killed*, could not belong to the *first book* of the collection of Letters between *Cicero* and *Brutus*, which was known to the Antients and consisted of eight books.

THE Vindicator proceeds in his account: *The correspondence indeed, says he, between these two great men began several years before, when Cicero was Proconsul of Cilicia; and was carried on occasionally through all Cæsar's reign; but as the Letters of that interval related chiefly to private affairs and the mutual recommendation of their friends to each other; so those, which happened to be preserved, were inserted among the familiar Epistles, where some of them are to be found at this day* [e]. — The Letter then, which *Nonius* cites from the *first book* of the

[e] *Mid. Pref. Diff. p. 5.*

collection of Letters *between these two great men*, is allowed to have been written *several years* after their correspondence first began, and *five* of the many Letters of that interval happened to be preserved and are to be found at this day [f]. The reason, which is so artfully insinuated, why these *five* Letters were inserted among the familiar Epistles, viz. that they related chiefly to private affairs and the mutual recommendation of their friends to each other; first, proves too much. For several of the suspected Letters, in like manner, relate chiefly to private affairs and the mutual recommendation of their friends to each other; and therefore had the very same pretensions to be inserted among the familiar Epistles. Secondly, it is founded on a puerile error, that the title *Epistolae familiares*, or *ad familiares*, is not only the antient title of a general collection of Cicero's Letters to diverse persons, as it is found at this day in all our editions; but the proper title of the Letters contained in this collection, expressing that they relate chiefly to the private affairs of the corresponding parties, and their mutual recommendation of their friends to each other [g]. But the Vindicator's

[f] Ep. Fam. xiii. 10, 11, 12, 13, 14.

[g] Scimus—quoddam Epistolarum genus *familiale* recte appellari et dici, cujus etiam generis *nonnullae* in hoc volumine Epistolae continentur; non tamen ob id *omnes* ita appellandae, cum *plurimae* sint de *gravibus* et *magnis rebus* summo artificio scriptae. — In nullis

manu scriptis paullo antiquioribus codicibus illud [nomen] invenimus. — Animadvertimus etiam — a nullo unquam veterum auctorum, et non ignobilium grammaticorum, qui crebro testimonium harum Epistolarum adducunt, illas *familiares* appellari. Victor. not. in Ep. Fam. in init.

whole

whole hypothesis concerning Cicero's Letters may deserve a more particular examination, and by briefly observing in what state they originally were, and what changes they have since undergone, we may be able to assign some probable reason, why the *genuine* Letters of Cicero to Brutus, which happened to be preserved, were inserted; and yet the Letters of their *suspected* correspondence were not inserted among the familiar Epistles.

HE says then, that we are indebted to Tiro for preserving and transmitting to posterity the precious collection of Cicero's Letters, of which a great part still remain, and one intire book of them written to Tiro himself [b]. At another turn he tells us, that we have about a thousand of Cicero's Letters still remaining, which are but a small part, not only of what he wrote, but of what were actually published after his death by his servant Tiro [i]. The Letters of Cicero still remaining are indeed but a small part of what were actually published and transmitted to posterity; but the fact, of Tiro's being the person to whom we are indebted for preserving and transmitting them, may be disputed with the more assurance, because it has the bad fortune to be advanced upon a reason which is almost a demonstration of the contrary. What, says he, makes these Letters still more estimable is, that Cicero had never designed them for the Public, nor kept any copies of them: for the year before his death, when Atticus was making some inquiry about them, he sent him word, that he had made no collection; and that Tiro had preserved only about seventy [k]. Had the Vin-

[b] Life of Cic. v. ii. p. 56. [i] Ib. 525. [k] Ib.

dicator

dicator (who knows *what little dependence ought to be placed, in questions of this sort, on second-hand testimonies, without recurring to the originals* [l]) but consulted the Letter to *Atticus*, to which he refers us, he might have seen, that *Cicero* was actually then *designing* a collection of Letters for the Public, and for that very reason it was, that *Atticus* was *making some inquiry about them*. *Cicero* sent him in answer, that *Tiro* had about seventy of these Letters, and that he himself must *revise* and *correct* some Letters which were already in *Atticus's* keeping, in order to their being published [m]. Whether this was a collection of Letters between *Cicero* and *Cornelius Nepos*, which *Atticus* might be desirous to complete before *Cicero's* departure into Greece, I shall not presume to say [n]. A second book of that collection is mentioned by the Antients; and it has been imagined that there were many more; some Letters of which appear to be written after *Cæsar's* death [o]. But the modern conceit, that as *Cicero* kept not any copies of his Letters, so no collection had been made of them till the year before his death, when *Tiro* had preserved only about seventy, is so absolutely improbable in itself, that I need not trouble the reader with a formal confutation of it,

[l] *Mid. Pref. Diff. p. 63. Vide Mong. in Ep. ad Att. xvi. 5. not. 11.*

[m] — Habet *Tiro* instar septuaginta; et quidem sunt a te quaedam sumendae. Eas ego oportet *perspiciam, corrigam; tum denique edentur*. *Ep. ad Att. xvi. 5.*

[n] *Nepotis* epistolam expecto.

— *Mearum Epistolarum nulla est συναγωγή*. *Ib.* — The very Letter of *Nepos* here referred to upon the subject of *Philosophy* was extant in *Lactantius's* time. *Div. Inst. iii. 15.*

[o] *Macrob. Sat. 1. 2. c. 1. Vide Patric. in fragm. Cic. Ep. p. 2. seq. et fragm. Ep. apud eundem, p. 2. seq.*

till

till I am invited by the more proper occasion to enter upon that task [p].

THAT Cicero's Letters to Atticus were preserved and published by Atticus himself, was probably shewn from some remarkable instances of the disposition of them, in the order in which they were received by Atticus, not in which they were written and sent by Cicero [q]. Another proof may be taken from the circumstance of some of those Letters being still remaining, which Cicero requested Atticus to cancel, when they were in his keeping, promising on his part, to cancel all those which he had received relating to the same subject [r]. This was the subject of young Quintus's ill conduct, and especially his treachery to his Father and Uncle, in giving information to Cæsar that they were averse to his interests, and resolved to go over to Pompey into Greece. Both Cicero and Atticus had expressed themselves with great severity against him in their Letters; but Cicero, upon recollection, thought it best to heal matters as well as he could at such a juncture, and provide against future miscarriages by keeping him under a stricter government; and lest the affair should at any time get abroad, he desired that all his Letters of complaint might be destroyed. And yet Atticus could not spare these Letters out of his precious collection, into which they then happened to be inserted, and are there to be found at this day [r].

[p] *Mid. Pref. Diff.* p. 124.

[q] *Ep. ad C. Mid. etc.* p. 14,

15.

[r] Tu tamen eas epistolas, quibus asperius de eo scripsi ali-

quando, *concerpito, ne quando quid emanet: ego item tuas.* *Ep. ad Att. x.* 12.

[r] *Ib. Ep. 4, 6, 10, 11.*

I must here take notice of an historical fact too, which may concern the Vindicator in the next edition of his *Life of Cicero*. He tells us, that *M. Antony*, in several fierce and threatening Edicts, abused young *Quintus*, as a perfidious wretch who had offered to kill both his Father and Uncle [s]. For though the impartial Biographer is pleased to call this abuse, it is no more than what *Antony* might have known to be literally true. When *Quintus* was with *Cæsar* in Spain, *Asinius Pollio* gave *Cicero* intelligence about his impure kinsman, the matter of which was hinted by *Dolabella*, but expressed more plainly in a letter from *Balbus* the younger; upon which *Cicero* exclaims, O formidable fellow! can any thing be more villainous [t]! But *Dolabella* himself, upon his return from Spain, expressed himself more fully upon this head; for after much affectionate and free conversation with *Cicero*, at last, says he, we came to *Quintus's* affair; many things unheard of, unfit to be mentioned! but one thing of such a nature, that, except it were notorious to the very army, I durst not write it myself, much less dictate it to *Tiro*. But I repress myself [u]. This one thing was intended against both the Father and the Uncle. For *Balbus* next brought word, that *Quintus* was outrageous against *Cicero* in all companies; and when he had done with him, he made as free with his Father [x]. What that one thing

[s] Life of Cic. v. ii. p. 329.

[t] Ecquid impurius? O hominem cavendum! Ep. ad Att. xii. 38.

[u] Ventum est tamen ad Q. multa ἀφ᾽ αὐτοῦ, ἀδύνατα! sed

unum ejusmodi, quod nisi exercitus sciret, non modo Tironi dictare, sed ne ipse quidem auderem scribere. Sed hactenus.

Ep. xiii. 9.

[x] Ep. 37.

was may be learnt from a letter written long afterwards. When *Quintus* made a pretence of leaving *Antony's* party, and of coming over to his *Father* and his *Uncle*, *Cicero* is hard put to it to account for this conversion: *He may*, says he, *be disgusted at Antony, or he has a mind to gain a little popularity, or the whole may be an artifice. This is the case. However, his Father is under great apprehension, as well as myself; for he knows, what his Son declared once, those things which could not be mentioned, against us both [y].* It is somewhat curious to observe (as the *Vindicator* says concerning *Cicero's* requiring *Atticus* to deny that an *invective Oration* was his, which he made against *Curio the Father* [z]) how *Cicero* answered in the Senate to *Antony's* charge upon young *Quintus*. “The Gladiator,” says he, “has dared to assert in his Edict, that he entertained the thought of killing his *Father* and *Uncle*. O wonderful impudence, hardness, and rashness! to dare to form a charge in writing against a Youth, whom his *Father* and *I* contend who can love most; whom we delight to be always seeing, hearing of, and holding in our embraces, for his most courteous disposition, unblemished morals, and excellent genius [a].” One would expect too, that the Letters to *Atticus*, which have been cited on this head, and are the perpetual monuments of *Quintus's* infamy and *Cicero's* oratorical œconomy, should be as care-

[y] Potest aliquid iratus Antonio: potest gloriam novam quærere: potest totum esse *σχεδιασμα*: et nimirum ita est. Sed tamen et ego vereor et pater conturbatus est. Scit enim quae ille de hoc mecum, quidem ἀφάρτα, olim. Ep. ad Att. xv. 19.
[z] Life of Cic. v. i. p. 367.
[a] Phil. iii. 7.

fully suppressed by Cicero, lest the matter should at any time come out ; had either Cicero or his servant Tiro been the preservers or transmitters of them to posterity : and the same may be observed concerning the Letters which declare a *premeditate* and *determined intention* in Milo to kill Clodius ; on the denial of which intention Cicero's defence of him is wholly made to turn [b].

THE Vindicator tells us, that the *Oratorial Partitions* of Cicero seem to have been the rude draught only of what he intended, since we find no mention of them in any of his Letters, as of ALL his other pieces, which were prepared for the public [c]. Now any man, who has made any study of the *Epistles to Atticus* [d], may see that Cicero mentions to him the pieces which were prepared for the public, to the end that his librarians might take copies of them and publish them [e] ; and the most probable reason, why there is no mention, in the Letters, of Cicero's celebrated Books of *Laws*, is, that they were not intirely finished, and therefore not communicated to Atticus before the time in which their literary correspondence determines [f]. Atticus likewise was the *Aristarchus* or Critic upon Cicero's works, as well as the publisher of them [g] ; and this is no less true of his *Orations* and *Letters* than of his larger pieces. Some collections indeed of Cicero's Letters were published in his life-time

[b] Ep. ad Att. iv. 3. Vide aetat. Cic. Lib. de Leg. p. 35
Orat. pro Mil. — 38.

[c] Life of Cic. v. ii. p. 147.

[d] Mid. Pref. Diff. p. 33.

[e] Vide Epistolam ad C. M.

p. 15.

[f] Vide J. Chapman Diff. de

[g] — Ego varie meis orationibus, quarum tu Aristarchus es, soleo pingere. — Ep. ad Att. i. 14. Vide et xii. 6. xv. 14.

and unknown to himself; but the Vindicator is much mistaken in thinking, that *Cicero* himself did not *design for the Public*, or did not indeed actually publish any of his Letters till *the year before his death*; nor should he have laid great stress on *Cicero's* saying, that in his familiar *Epistles*, he was not at all scrupulous about the choice of words, but took the first that occurred from vulgar use [b]: for where *Cicero* designed Letters for the Public, he took care to correct them, as we have lately seen; and some years before his death, he tells us, that he never dreamt of the collection of his Letters to *Calvus* being published; for, says he, we do not use such care in writing letters, which the party only reads to whom they are sent, as in writing those which are designed for the Public [i]. However this be, the Letters of both parties in *Cicero's* correspondence were as regularly transmitted to *Atticus* as *Cicero's* other works; and if they were not transmitted almost as soon as sent, we find him constantly making some inquiries about them. Thus he is making inquiries, at several times, about *Cicero's* Letters to *J. Cæsar*, and even suspecting that *Cicero* was ashamed of them, because he had not communicated them immediately, according to his custom [k]. Nay, when

[b] *Mid. Pref. Diss.* p. 114.
Ep. Fam. ix. 21.

[i] Ego illas *Calvo* literas misi, non plus, quam has quas nunc legis existimans exituras. Aliter enim scribimus quod eos solos quibus mittimus, aliter quod multos lecturos putamus. Ep. Fam. xv. 21.—*Cicero* thus banters *Tiro* for his diligence in composing one of his Letters; Video quid agas. Tuas quoque

epistolas vis referri in volumina. Ep. Fam. xvi. 17.

[k] Ego ad *Caesarem* unas *Capua* literas dedi. — Alteras eodem die dedi, quo has ad te. — Earum exemplum ad te misi. Ep. ad. Att. viii. 2. Ad *Caesarem* quam misi epistolam, ejus exemplum fugit me tum tibi mittere; nec id fuit quod suspicaris, ut me pueret. xiii. 51.

Atticus

Atticus happened to have mislaid any Letter, which had been sent him some time before, upon recollection he was in like manner *making some inquiry about* it; of which I will mention a remarkable instance, because of its immediate relation to our subject, the collection of *Cicero's genuine Letters to Brutus*. This was a Letter *relating to a private affair*, and written very near the time in which those Letters to the same person were, which *happened to be preserved, and were inserted among the familiar Epistles*. It was *Cicero's* answer to *Brutus's* consolatory Letter upon the death of *Tullia*; and *Graevius* thought it to be the very *consolatory* Letter which is *to be found under Cicero's name at this day* in the *suspected* collection [l]. This excellent Critic might well ground his opinion upon the very beginning of the Letter, could we look upon it as *Cicero's* own, and suppose that the affairs of these *two great men* tallied so exactly at that time, that there might be room for a *mutual consolation* [m]. But the *true Cicero*, in answer to *Atticus's* inquiry; "As to my Letter to *Brutus*," says he, "which you desire, I have not a copy of it, and yet it is safe. Both *Tiro* avers, that it must be in your keeping, and, as I remember, when I returned you his *objurgatory* Letter, I sent you my answer to it at the same time [n]." *Brutus's* Letter had been sent by himself directly to *Atticus*, from whom *Cicero* received it. But *Cicero* likewise receiving it from *Brutus* in the mean time,

[l] Vide Ep. ad Brut. i. 9. *functus es in meo luctu, teque per Illa vero extat epistola et est literas consolarer — Accusasti nona ad Brutum. Graev. in me — gravioribus verbis — Ep. ad Brut. ib.*

[m] Funderer officio, quo tu

[n] Ep. ad Att. xiii. 6.

returned to *Atticus* the very copy sent by him, together with his own answer [o]. This is a decisive instance of *Atticus's* curiosity in preserving the Letters of *Cicero's* correspondence with his friends and with *Brutus* in particular; as well as of the no less negligence of *Tiro* in preserving the copies of his own master's Letters; and it is worth observing, that not one of this sort of *Cicero's* Letters is preserved, bearing higher date than the year after *Cicero's* Consulship, at which time *Atticus* seems to have begun the commerce of *Cicero's* books [p].

HENCE we have a rational account (which can hardly be given upon the new scheme) of the numerous collections of *Cicero's* Letters, which were known to the Antients, and for many ages subsisting in their original form. The Vindicator himself tells us of *many volumes of them which are utterly lost*, of a *first* book to *Licinius Calvus*, a *first* to *Q. Axius*, a *second* to his Son, a *second* to *Corn. Nepos*, a *third* to *J. Cæsar*, a *third* to *Octavius*, a *third* to *Pansa*, an *eighth* to *M. Brutus*, and a *ninth* to *A. Hirtius* [q]. Only a *few* Letters, he observes, are left of the books to *J. Cæsar* and *Brutus*: and there were other collections, of which, in like manner, only a *few* Letters are left; one collection of *Cicero's* Letters to *Pompey the Great*, consisting at least of *four*

[o] Ep. ad Att. xii. 37. So another consolatory Letter of *Brutus* to *Cicero*, upon the state of public affairs, was communicated to *Atticus*; Tum ille [Atticus] Legi, inquit, per lubenter epistolam, quam ad te Brutus misit ex Asia, qua mihi visus est et monere te prudenter, et consolari amicissime. Brut. c. 3. Dr. Chap-

man, with a learned accuracy; distinguishes these two Letters from each other, and proves, that the Letter on *Tullia's* death was written by *Brutus*, when he was in the *Higher Gaul*. Diff. de ætat. Cic. Lib. de Leg. p. 25, 26.

[p] Ep. ad Att. i. 13.—Conf. Ep. 20. et ii. 1.

[q] Life of Cic. v. ii. p. 525. books;

books; one of his Letters to *C. Cassius*, of which the *first* book is mentioned [*r*]; and probably one book of Letters to *Cato*, and another to *Dolabella* [*s*]. All these collections made so many *distinct* works of *Cicero*, and each took its title from the name of his correspondent whose Letters were chiefly inserted into the collection; and if the correspondence with any single person did not suffice for a *just* volume, it was supplied with the still rarer correspondence with others, and the title of the volume was taken from the *first* address [*t*]. This was the *antient* state of all *Cicero's* Letters, which probably continued for some time after *Nonius*; for this *old Grammarian*, together with *Priscian*, who, we said, lived after *Nonius*, and the still *older* Grammarians and Classic writers, knew no other *distinction* of them, as is evident from their numerous citations. But when the Letters, as well as other works of *Cicero*, and of most Classic authors, had had their share in *that universal ruin which oppressed all the liberal Arts, by the overbearing power of the Goths and Vandals*; it came into the head of some well-meaning, but unskilful workman, to search into the rubbish, and gather up the dismembered remains, which he composed a-new upon a *Gothic* plan. For since their antient relations and dependences were quite destroyed, nothing more was left for him than to crowd the mutilated materials, as they could be made to consist together,

[*r*] Non. in voc. *Delinitus*.

[*s*] Id. in voc. *Plus et Multum*; et in voc. *Amare*.

[*t*] Cic. ad Varronem epistola Paeti. Non. in voc. *Comedim*. Conf. Ep. Fam. ix. 20. Scriptum est in libro epistolarum

M. Ciceronis ad Plancum, in epistola Asinii Pollionis ad Ciceronem. Gell. Noct. Att. i. 22. Conf. Ep. Fam. x. 33. Vide Victor. in Ep. Fam. in init. et Lud. Carrion. Emend. l. i. c. 18.

into one unwieldy pile. But the nearer observation and skill of the *Ciceronian* architects afterwards discovered great rudeness and disorder in the composition of this system; not indeed in putting those Letters together which are to the same person, however distant from each other in the order of time; but in not preserving their right order among themselves, which might have been seen, not only from their contents, but sometimes from their very dates. And this is most observable in the book of Letters to *Terentia* and the *Family*: nay, *Manutius* finds so many faults of this kind in that one *intire book* of Letters which, the Vindicator takes notice, were written to *Tiro* himself, that, rather than accuse him of such *unpardonable negligence*, he chuses to acquit him of having any hand at all in the matter [*u*].

THUS the small remnants of the many *intire* volumes of *Cicero's* Letters, *which happened to be preserved*, and could not subsist with safety or convenience in their detached condition, were joined to one another, and of course inserted among, or rather constituted the whole contexture of the *familiar Epistles*: and since the Letters to his *Brother Quintus*, and especially those to *Atticus*, which may most justly claim the character of *familiar Epistles* [*x*], had not their integrity so greatly dimi-

[*u*] *Tironem* patroni sui *Cicero*-*ronis* epistolas eo, quo passim leguntur, ordine collocasse, proditum est. Id ego non libenter credo; libenter enim eum, quem *Cicero* ipse — laudavit saepe ut literatum ac diligentem, gravi negligentiae culpa libero. —

Quid quod in iis disponendis, quas ad ipsum scripserat *Cicero*, item ut in aliis peccavit? quod vitium quia non licet excusare; libenter, ut dixi, *Tirone* absoluto, quemvis alium condemnaverim. *Manut. Praef. in Ep. fam. xiv. 1.*

[*x*] Quod si ullis epistolarum
nished,

nished, as to want any foreign supplement; this was the reason why they still retained their separate subsistence and were not *inserted among the familiar Epistles*. The name of *familiar*, given to the whole system of the rest, is still of much later date, not being found in any antient MSS. [y], nor, that I know of, till *after the many centuries of Gothic barbarism*; when *Petrarch* seems to have been well acquainted with it, and to have entertained the Vindicator's scholastic notion, that it is the *proper* title of the Letters, as *they related chiefly to private affairs, and the mutual recommendation of friends to each other*. He therefore inscribed a collection of his own Letters, in which he professes to imitate *Cicero's* familiar manner, *Concerning familiar affairs* [z]; but in truth, whatever scattered Letters of the many volumes of *Cicero* happened to be preserved at the time of making the collection of the *familiar Epistles*, they were alike *inserted* into it, whether they related to *private* or *public* affairs, to matters of common life, or philosophic speculation. Thus some Letters *happening to be preserved* of the collection of Letters to *Cato* and *C. Cassius*, though several of them relate to *public* and the most impor-

voluminibus hic titulus conveniret, *verius* hoc nomine appellari possent illae, quae *ad Atticum familiariter* scriptae sunt: quae licet et ipsae saepe de publicis rebus agant, *remissiore* tamen et *solutiore genere dicendi* utuntur, et *minore arte et studio* scriptae sunt, quomodo *familiares* inter se homines scribere consueverunt. Viêt. in Ep. Fam. in init.

[y] Vide Viêt. et Gebhard.

ib.

[z] — Quamquam in his epistolis magna ex parte *Ciceronis* — *morem sequar*. — Cicero — *familiaria* et res novas ac varios illius saeculi rumores in epistolis includit. — Multa igitur hic *familiariter ad amicos*, inter quos et ad teipsum scripta comperies. Petrar. Praef. in Ep. fam. rer. p. 569.

tant affairs, were *inserted among the familiar Epistles*; and a few more are left of the collection of Letters to *J. Caesar, Dolabella, and Pompey*; and these are *inserted partly among the familiar, partly among the Epistles to Atticus*, where they are referred to by them; and yet every one of these were certainly once contained in their respective collections, as is evident from a Letter to *Pompey*, still remaining, which was a part of the *fourth* book of Letters to that person [a]; and by parity of reason I argue,

V. THAT the *five* genuine Letters of *Cicero* to *Brutus*, which happened to be preserved, and were *inserted among the familiar Epistles*, where they now are, were certainly once contained in the collection of *Cicero's* Letters to *Brutus*, antiently consisting of *eight* books; and that their being *thus inserted*, separate from all the rest, is a strong evidence, that no other Letters of the original collection were known, or at least acknowledged as the Letters of *those two great men*, at the time when the general collection of the *familiar Epistles* was made. — The latter part of this conclusion is put past all doubt from the history of the *suspected* Letters; whence it appears, that *Petrarch* was the person who *retrieved them from a long oblivion*; and the *singular fortunes*, which they have undergone both in their *loss and recovery*, may suggest a *new suspicion*, That they might all originally be *rejected by many as spurious, nor be found in all*, if in any, of the copies of the *genuine* Letters.

[a] *Vide* Ep. ad Pomp. ad Conf. Non. in voce *Excipere*.
calcem Ep. ad Att. viii. 11.

BUT it is time now that I^e should acquaint the Vindicator, of what correspondence the original collection of these Letters in *eight* books did really consist. It might indeed have been expected from one, who engaged to lay before the reader an history of this correspondence, as it is delivered to us from the earliest tradition, that he should have paid some attention to the fragments, or scattered parts of it, which may be gathered from the citations of antient Authors, especially the Authors that were pointed out to him, *Quintilian* and *Plutarch*. In the former there are evident traces still remaining of a correspondence being regularly carried on from the time in which, he tells us with some probability, it first began, when *Cicero* was Proconsul of *Cilicia*. He knows, that upon *Cicero*'s entering on this Proconsulship, *Brutus*, who had lent to *Ariobarzanes* King of *Cappadocia* a very large sum of money, earnestly desired *Cicero* to procure the payment of it with the arrears of interest; but *Cicero* was forced to give a sad account of his negotiation to *Atticus*, who likewise had warmly recommended *Brutus*'s interests to him [b]. He knows too, that the city of *Salamis* in *Cyprus* owed to two of *Brutus*'s friends, *Scaptius* and *Matinius*, above twenty thousand pounds sterling upon bond, at the interest of four per cent by the month [c]. This, with his usual candor towards *Brutus*, he is pleased to call a most extravagant interest; though he himself observes a little before, that the ordinary interest of these Provincial loans (he should have said, of the arrears of composition-mo-

[b] Life of *Cic.* v. ii. p. 19.

[c] *Ib.* p. 21.

ney, due from the Provincial cities to the farmers of the public revenues) was one per cent by the month with interest upon interest [d]. This, says he, was the lowest: but in extraordinary or hazardous cases (such a case the present one was [e]) it was frequently four times as much. Brutus, who was engaged to the creditors for the said sum, had begged of Cicero to take their persons and concerns under his special protection. But notwithstanding the repeated instances of both Brutus and Atticus, that Scaptius's debt might be paid off according to the tenor of his bond; yet Cicero was determined to overrule it, and enjoined the Salaminians to pay off Scaptius's bond according to the tenor of his edict, by which he had ordered, that no bonds in his Province [*i. e.* between the Cities and the Publicans] should carry above one per cent by the month.

THIS is the bare representation of these transactions, discharged of all the colourings of the *apolegetical* history; and Cicero's ill success in negotiating with Ariobarzanes, where very probably he did his best endeavours; but especially his popular sentence in

[d] Life of Cic. v. ii. p. 19.

[e] [Scaptius] aut bono nomine centesimis contentus erat, aut non bono quaternas centesimas sperabat. Ep. ad Att. v. 21.—This money was lent against the Gabinian law, by which neither principal nor interest could be legally recovered by the bond; but both lay at the mercy of the Proconsul of Cilicia: and though Brutus got the bond declared good by the Senate, yet

Cicero could and in the event actually did overrule it. The ordinary interest; which the Dr. talks of, of one per cent by the month, was only of the composition-money due from the Cities to the Publicans, and therefore of a debt which required no extraordinary interest for insurance; since it was not at all affected by the Gabinian law, which set aside the bonds given in the case of Provincial loans only.

favour

favour of the *Salaminians*, where it was in his power to do a kind office, or rather an act of justice to his friend *Brutus* [f], had like to have put an intire end to the friendship of *these two great men*. *Cicero* says on his own part to *Atticus*, *If Brutus does not approve my conduct, I know not why you and I should love him*; and *Atticus* says on *Brutus's* part, that if *Cicero* brought nothing back from the Province, but *Brutus's* friendship, that would be enough [g]. Now there happens to be a fragment, preserved by *Quintilian*, of *Cicero's* Letter to *Brutus*, which refers to a reconciliation with him just about the end of *Cicero's* Proconsulship, or immediately after his return from *Cilicia*; and the fragment might have suggested a notable historical fact to the *Ciceronian* Biographer. He tells us of *Cicero's* reconciliation with *Appius*, and of his desire to live on good terms with him, because one of his Daughters was married to *Pompey's* Son, and another to *Brutus* [h]. In the fragment then of *Cicero's* Letter to *Brutus*, Since, says *Cicero*, a reconciliation has been effected between *Appius Claudius* and me, and effected by the mediation of *Cn. Pompey*; you and I should esteem ourselves to be reconciled too [i]. *Manutius*,

[f] *Atticus* argues thus to *Cicero*. "But as to the *Salaminian* affair, you had the execution in your own hands." Ep. ad Att. vi. 2.

[g] *Habes meam causam; quae si Bruto non probatur, nescio cur illum amemus*. Ep. ad Att. v. 21. — *Te intelligere volui, mihi non excidisse illud, quod tu ad me — scripsisses; si*

nihil aliud de hac provincia nisi illius benivolentiam deportassem, mihi id satis esse. Ib. vi. 1.

[h] Life of *Cic.* v. ii. p. 36.

[i] *Illa vero apud Ciceronem mira figurarum mistura deprehenditur, — utque se habet epistola ad Brutum: Ego cum in gratiam redierim cum Appio Claudio, et redierim per Cn. Pompeium, te ego ergo cum re-*
upon

upon the credit of this fragment only, asserts that *Cicero's* reconciliation with *Appius* was brought about by *Cn. Pompey* [k]; and the Biographer has already told us, why the one reconciliation is properly alledged for the other; and why *Pompey* in particular should be interested in them both. But I must recommend another fragment of *Cicero's* Letter, and perhaps of the same Letter to *Brutus*, to the careful examination of the Vindicator. For it not only seems to relate to the very same business, but is certainly taken out of the genuine *first* book of *Cicero's* correspondence with *Brutus*, which, he says, *began when Cicero was Proconsul of Cilicia*. In this fragment *Cicero* intimates that *Pompey* had been pressing him with particular earnestness, and enforced his application by a recital of many passages which happened long before [l]. Let now the Vindicator have recourse again to his *Nonius*, and give us a second essay of his skill in shewing, that the *first* Letter of the suspected collection, which seems to have been written about the end of the year in which *Cæsar* was killed, i. e. six years afterwards, could belong to the *first* book of the collection of *Cicero's* genuine Letters to *Brutus*, known to the Antients, and originally consisting of eight books. — The civil war was breaking out at the time of *Cicero's* return from the Province

dierim. Quint. Inst. Orat. ix. 3.

[k] *Auctore Pompeio*. — Id ex Quintiliani lectione cognovimus, qui recitat haec verba *Ciceronis ex libro epistolarum incerto ad M. Brutum*, etc. Manut. in Ep. Fam. ii. 13.

[l] Serv. in Virg. Aeneid. l.

8. § 395. *Cicero primo libro ad Brutum. Si Pompeius non ex alto peteret, et multis verbis me jam hortaretur*. Sic in l. 12. § 844. *Cicero ad Appium Pulchrum. Sic intellexeram permultos a te milites tunc dimissos*. Conf. Ep. Fam. iii. 3.

of

of Cilicia, and young Brutus was also in Pompey's camp at the battle of *Pharsalia* [m]. Pliny, in his *Natural History*, refers to some of his Letters of this early date, in which he made complaint of the officers using military ornaments of gold [n].

ABOUT the time of Brutus's government of *Cisalpine Gaul*, and consequently about the time in which those Letters of Cicero to Brutus were written, which happened to be preserved, and were inserted among the familiar *Epistles*; Cicero, according to the *Vindicator*, seems to have received a testimony of Cato's friendship, in being left a Guardian to his Son, as he was also to young Lucullus, Cato's Nephew [o]. Cicero was left a Guardian to young Lucullus, by the will of Lucullus his Father [p]; and he had indeed some concern in the care and administration of young Cato's affairs. There is a fragment of Brutus's Letter, which will appear to have been written to Cicero, if we compare it with a Letter of Cicero to Atticus upon the subject of young Cato. Piso, a banker, was pressing a demand upon him on the account of his creditors, and Cicero orders Atticus to plead the *destitution of Cato* for delay of payment [q]. Brutus, who was the deceased Cato's Nephew by his Mother *Servilia*, and married his Daughter *Porcia* a little while after, may be di-

[m] Life of Cic. v. ii. p. 116.

[n] Sed in militia quoque in tantum adolevit haec luxuria, ut M. Bruti in Philippicis campis epistolae reperiantur frementes, fibulas tribunitias ex auro geri. Plin. Nat. Hist. xxxiii. 3.

[o] Life of Cic. v. ii. p. 160.

[p] — Tibi testamento liberos suos commendavit. De Fin. l. 3. c. 2.

[q] Pisoni quid est quod honestius respondere possimus, quam solitudinem Catonis? Ep. ad Att. xiii. 6.

sputing in the fragment the expediency of the children's having acting guardians, and alledging to *Cicero*, that they would rather have no guardians, though they were well apprized, that it was otherwise intended or appointed by *Cato* [r]. Now whether the destitution of young *Cato* was occasioned by the want of *testamentary* and *legitimate* guardians, or because the guardians could not, through absence or other incapacity, execute their charge; as the children, in either of these cases, were more at liberty in procuring Guardians for themselves, so the near relation, which *Brutus* bore to them, made it his particular concern to deliberate, whether he should interpose his authority to procure them Guardians or not [s].

WHATEVER was the real case, the Vindicator, who should not deny the privilege of an hypothesis to others, supposes again, that *this testimony of Cato's friendship and judgment of Cicero might induce him the more readily to pay an honour to his memory* [t]; and into this private consideration he would seem to resolve as great an act of Patriotism as his Hero ever did, *his writing his book in praise of Cato*. *Brutus* likewise at this time was exerting all his eloquence upon the same subject; and as these two fine writers and joint-adventurers in such an arduous enterprize did apply to their common friend

[r] Brutus in epistolis; *Neque enim illi malunt habere tutores aut defensores, quanquam sciunt placuisse Catoni.* Quint. Inst. Orat. 1. 9. c. 4.

[s] Si minores non habebunt eos, qui ex legibus sunt defensores, si quidem tutoribus indigent

propter aetatem, possunt petere iis tutores constitui cognati.—

Alii igitur voluntate petunt tutores; sunt autem quidam, quibus est necesse petere tutores, puta mater et liberti. Modestinus, Dig. 1. 26. tit. 6. l. 2.

[t] Life of Cic. v. ii. p. 160.

Atticus,

Atticus, for his advice in the conduct and execution of their work [u]; so there is a proof of their consulting each other on that occasion, from the fragment of *Cicero's* answer to *Brutus*, to the following effect: "Your remark," says *Cicero*, "was perhaps founded on the apprehension, that I should take something from thence into *my Cato*, which might be exceptionable; though there was no similitude between the subjects in question [x]." *Brutus* might have intimated his apprehension, that *Cicero* would make use of some topic, or rather transfer into *his Cato* what he composed upon another subject; from which consequences might be drawn to the disadvantage of *Cato's* character, or to the prejudice of *Cicero* himself with regard to the times. For in fact we find *Cicero* in great perplexity, how to conduct himself in professedly praising both the private virtues and public administration of *Cato*, at a time when his grand adversary *Cæsar* had in a manner become established in his sovereign power [y].

THE pieces of these great men, who were consummate Orators in their different ways, and in a sort disputing the prize of Eloquence, upon a subject in which both of them were equally interested, together with the judgments, which the world

[u] Ep. ad Att. xii. 4. 21.

[x] Ipse *Cicero* ad *Brutum* ita scribit; *Veritus fortasse ne nos in Catonem nostrum transferamus illinc mali quid, etsi argumentum simile non erat.* Quint. Inst. Orat. l. 5. c. 10.

[y] De *Catone* πρὸς ἑλληνα Ἀρχιμήδου est. — Si a sententiis

ejus dictis, si ab omni voluntate consiliisque, quae de Rep. habuit, recedam, φιλῶςque velim gravitatem constantiamque ejus laudare; hoc ipsum istis odiosum ἀρεσμεῖται. Sed vere laudari ille vir non potest, nisi haec ornata sint. Ep. ad Att. xii. 4.

presently

presently gave, concerning their comparative merits [z], introduced the celebrated controversy between the Principals themselves, about *the character of perfect Eloquence or the best manner of Speaking*. Since we have, what might well be expected, several remains of their literary correspondence on this subject preserved to us by the old Critics and Rhetoricians, it may be proper to observe, in order to place them in a better light, that as persons so like in profession and principles had many occasions, both before and after this time, of being concerned together in the management of the same cause, so they did not only differ in their whole style and manner of composition, but many times in the general œconomy of their works, and in the main positions upon which any matter of judicial or political deliberation chiefly turned. The Vindicator observes, that in *Milo's trial* Cicero thought it *too desperate* to defend him by *avowing the death of Clodius to be an act of public benefit*; but young *Brutus* was not *so cautious* [a]. On the other hand, Cicero finds fault with *Brutus* for being *too cautious* in the Speech delivered by him in the *Capitol*, and immediately published, on the occasion of *Cæsar's* death; and declares to *Atticus*, that *were he to have handled such a cause, he would have advanced his positions upon it more roundly* [b]. The Vindicator indeed is of opinion, that *Brutus's* Speech wanted fire, as to the manner of its composition and

[z] Multa de meo Catone, quo sæpiissime legendo se dicit [Cæsar] copiosorem factum: *Bruti Catone lecto se sibi visum disertum*. Ep. ad Att. xiii. 46.

[a] Life of Cic. v. i. p. 540.

[b] Ego tamen, si illam causam habuissem, scripsissem ardentius ὑποθέσεις. Ep. xv. i.

the *working up of the style*; and makes *Atticus* give judgment upon it, that its *manner* was *too cold and spiritless for so great an occasion* [c]; whereas *Cicero* allowed it, as to the *style and sentiments*, to come up to the *perfect idea* of that *character of Eloquence* which *Brutus* affected; and was afraid that *Atticus* should be *Hyper-Attic* in criticising it because it had *too much fire* of that sort; “but,” says he in apology, “if you remember the *thunderbolts of Demosthenes*, you will be sensible, that an Orator may be *most vehement*, and yet *perfectly Attic* at the same time [d].” The *want of fire* then, with which *Brutus* is charged, was not in the *composition* but in the *matter or general argument* of the Speech, which probably was of the *moderate and pacific* kind, and without any retrospect to the demerit of *Cæsar*, or any mention of the prosecution of those who had abetted and supported his Tyranny, consisted chiefly in advising the assembly “to lay hold on the glorious opportunity, which was offered them, of recovering the antient constitution, and transmitting to posterity the liberties of *Rome*.” But *Cicero*, when he had been requested by *Atticus* to compose an Oration *as spoken by Brutus* in the *Capitol*, or some work at least, upon the same event, proposed for his *main hypothesis* or *general plan* (though he thought fit to delay the execution

[c] Life of *Cic.* v. ii. p. 274.

[d] —Quo in genere Brutus noster esse vult, et quod iudicium habet de optimo genere dicendi, id ita consecutus est in ea oratione, ut elegantius esse nihil possit. — Quanquam vereor, ne

cognomine tuo lapsus iniquissimè sis in iudicando. Sed si recordabere Δημοσθένος, fulminatum intelliges posse et ἀριστώτατα gravissime dici. Ep. ad Att. xv. i.

till the times would better bear it) “ That the Tyrant had been justly killed [e].”

THE Vindicator carries his error still farther, and gives it as the general character of *Brutus's* manner of speaking, that it wanted that force which is required in a consummate Orator [f]. Now it does not appear, that he had ever read one of *Brutus's* compositions, or indeed any part or fragment of one: but *Quintilian*, who read them all with great accuracy, tells us, that the proper distinction of *Brutus's* manner was the strength of the sentiment [g]; and therefore he was most excellent on the subject of *Philosophy*, and much more happy there than in his *Orations*, because he was able to sustain the weight of his matter, and to let us know, that he even feels what he speaks [h]: and though the same most judicious Critic justly allows to *Cicero* all the excellencies of writing together, whether in the Philosophic or the Popular kind; and the Vindicator thinks his style and manner much the same with those of *Demosthenes*, where there was nothing either redundant or deficient, nothing either to be added or retrenched [i]: yet *Cicero* himself, in a Letter to *Brutus*, ex-

[e] An sic ut in Tyrannum jure optimo caesum? Multa dicentur, multa scribentur a nobis; sed alio-tempore. Ep. ad Att. xv. 3. De oratione Bruti prorsus contendis.—Egone ut eam causam, quam is scripsit?—At, inquis, Ἡρακλείδιον aliquod. Non recuso id quidem. Sed et componendum argumentum est, et scribendi expectandum tempus maturius. Ep. 4.

[f] Life of Cic. v. ii. p. 227.

[g] — Subtilitatem Calli-

dii, gravitatem Bruti, acumen Sulpicii — reperiemus. Inst. Orat. l. 12. c. 10.

[h] Egregius vero, multoque quam in orationibus praestantior Brutus. suffecit ponderi rerum: scias eum sentire quae dicit. Ib. c. 1.

[i] At M. Tullium non illum habemus Euphranorem circa plurium artium species praestantem, sed in omnibus, quae in quoque laudantur, eminentissimum. Inst. Orat. l. 12. c. 10. In eloquendo est aliqua diversitas. presses

presses the character of the *Perfect Eloquence* in much the same terms that his Historian does; that it is "an Eloquence born for the multitude, whose merit was always shewn by its effects, of exciting admiration and extorting shouts of applause [k]." Accordingly we find him boasting in another Letter to *Brutus*, that he had "imposed upon the multitude, and approved himself to be an Orator indeed [l]." To this effect he says, in his book entitled *Brutus*, the first sketch of which was drawn before this time, that "it is the property of a perfect Orator, to appear to the multitude to be a perfect Orator [m]." And in another Letter he tells him, that his advocate in this cause, or dispute about the Perfect Eloquence, shall be that affection, or, to use the word, that FAVOUR of the multitude [n], or those shouts of applause which his eloquence extorted from it: and *Quintilian* refers us to another of *Cicero's* Letters to *Brutus*, in which he had declared, "that Eloquence is a Virtue [o]."

BRUTUS, on the other side, maintained his opinion with no less zeal, and took great liberties in

Denfior ille [Demosthenes] hic [Cicero] copiosior: ille concludit astrictius, hic latius pugnat: — illi nihil detrahi potest, huic nihil adjici. Ib. l. 10. c. 1. Life of *Cic.* v. ii. p. 532.

[k] Ib. v. ii. p. 534. Reſteque *Cicero* his ipsis *ad Brutum* verbis quadam in epistola scribit; Nam eloquentiam, quae admirationem non habet, nullam judico. Ib. l. 8. c. 3.

[l] *Cicero* *ad Brutum*, Populo, inquit, imposuimus et oratores visi sumus. Ib. l. 8. c. 6.

[m] Id enim ipsum est sum-

mi oratoris, summum oratorem populo videri. Brut. c. 50. — *Cicero* makes *Brutus* agree with him in opinion, c. 55. See Dr. *Chapman's* very ingenious discovery of *Cicero's* publishing a second edition of his *Brutus*. Diff. de aet. Lib. de Leg. p. 22. etc.

[n] Favorem et urbanum *Cicero* nova credit. Nam et in epistola *ad Brutum*, Eum, inquit, amorem, et eum (ut hoc verbo utar) favorem in consilium advocabo. Quint. Inst. Orat. l. 8. c. 3.

[o] *Cicero* in sua persona, cum *ad Brutum* in epistolis, tum

H

criticising

criticising *Cicero's* Eloquence; and their altercations were carried to some height, and probably became even voluminous; as may be gathered from *Quintilian* and another very early writer. *Quintilian* has this observation: "I say nothing of those, who do not allow enough to *Cicero* and *Demosthenes* even in the point of Eloquence; though *Cicero* himself indeed does not allow *Demosthenes* to be a consummate Orator, and says, that he now and then nods; and *Brutus* and *Calvus* do the same to *Cicero*, even in their Letters to himself [p]." This *Licinius Calvus*, to whom, as we said, there were at least two books of *Cicero's* Letters, was dead when *Cicero* wrote his book entitled *Brutus* [q]; and those Letters upon the subject of Eloquence were actually published about the time of his death [r]. *Brutus's* Letters upon the same subject, we see, were extant in *Quintilian's* time; and the author of the Dialogue, commonly ascribed to *Tacitus*, tells us farther, out of these collections of Letters, what particular charges the Parties brought against each other's manner of writing. "You have read," says he, "the Letters of *Calvus* and *Brutus* to *Cicero*. Whence you may see, that *Cicero* thought *Calvus* a lean and haggared Orator, and *Brutus* a lazy and disjointed one; that *Calvus*, on the other hand, reproached *Cicero* for being relaxed and without nerves;

aliis etiam locis, virtutem eam appellat. Inst. Orat. l. 2. c. 20.

[p] — Quamquam neque ipsi *Ciceroni* *Demosthenes* videatur satis esse perfectus, quem normitare interim dicit; nec

Cicero *Bruto* *Calvoque*, qui certe compositionem illius etiam apud ipsum reprehendunt. Ib. l. 12. c. 1.

[q] Brut. c. 81.

[r] Ep. Fam. xv. 21.

“ and

* and *Brutus*, to use his own words, reproached
 “ him for being broken and emasculate [s].”
Quintilian acquaints us too with *Brutus*’s affectation
 of *Iambic* measures in his compositions [t], and
 with a peculiarity of judgment in blaming a pe-
 riod of *Demosthenes*, which is concluded like an
 heroic verse. He adds farther, that some had ca-
 villed at *Cicero* for the like instances [u] ; and in
 another place he cites from *Cicero*’s Letters the
 words in which *Brutus* had expressed his admira-
 tion of some author, for the elegance and flowing
 easiness of his metrical periods [x]. All this *lite-
 rary* controversy concerning the *Perfect Eloquence*
 seems to fall in with the times of *Cicero*’s writing
 his book inscribed the *Orator* ; a piece, says the
Vindicator, containing the plan or delineation of what
 he himself esteemed the most Perfect Eloquence or
 manner of Speaking [y]. For this piece was written
 for the particular conviction and at the earnest intreaty
 of *Brutus* himself ; but *Brutus* still persisted in his
 own opinion, and, after reading it, declared, in his
 Letters to *Cicero* and *Atticus* at the same time, that

[s] Legisti utique et Calvi et
Bruti ad Ciceronem missas epi-
 stolas, ex quibus facile est de-
 prehendere, Calvum quidem
Ciceroni visum exsanguem et
 attritum, Brutum autem otiosum
 atque disjunctum. Rursumque
Ciceronem a Calvo quidem ma-
 le audivisse, tanquam solutum et
 enervum : a Bruto autem, ut i-
 psius verbis utar, tanquam fra-
 ctum atque elumbem. De Orat.
 Dial. c. 18.

[t] Itaque et versus hi fere

excidunt, quos Brutus ipso com-
 ponendi ductus studio saepissime
 facit. — Inst. Orat. l. 9. c. 4.

[u] Ab uno, quod sciam, Bru-
 to minus probatur, caeteris pla-
 cet, — μὴδὲ τοξέειν. Non de-
 sunt qui *Ciceronem* carpant in
 his — balneatori — archipiratae.
 Ib.

[x] In epistolis Cicero haec
Bruti refert verba ; Nae illi sunt
 pedes faceti, ac deliciis ingredien-
 ti molles. Ib. l. 6. c. 3.

[y] Life of Cic. v. ii. p. 164.

“ he did not admit of *Cicero*’s idea of the Perfect Eloquence [z].” There is another fragment of *Cicero*’s Letter to *Brutus*, which I shall mention under this head ; for though the time of it is not easily determined, yet it carries with it an air not very agreeable to the period which the Vindicator must assign it, being occasioned by the news of *Brutus*’s success in pleading a cause, or obtaining some request. “ There is,” says *Cicero*, “ nothing talked of but you ; for what can deserve it more ?” Then *Flavius* said to the courier, You are under “ a mistake ; for when I pleaded at supper-time in “ the same place, I carried my point [a].”

WHILE *Cæsar* was carrying on the war in *Spain* against the Sons of *Pompey*, we find *Cicero* consulting with his friend *Atticus* about writing a Letter to him, the subject of which, the Vindicator in his *historical* way would have us believe, was *some advice about restoring the peace and liberty of the Republic* [b]. One would wonder, how such a thought could come into the head of one who values himself so much upon his knowledge of *affairs and real life* ; and could he have whispered some advice into his *Hero*’s ear, they would no doubt have acquitted themselves to the admiration of all future Patriots. But *Cicero* was wiser than his Historian at this juncture ; and the subject of his Letter was the very

[z] Cum *ipsus precibus* paene adductus scripsissem ad eum de *optimo genere dicendi*, non modo *mibi*, sed etiam *tibi* scripsit, *sibi* illud, quod mihi placeret, non *probari*. Ep. ad Att. xiv. 20.

[a] Cicero ad Brutum : Ser-

mo nullus scilicet nisi de te. Quid enim potius ? Tum *Flavius*, Erras tabellarie, et ego ibidem orans inter coenam exoravi. Quint. Inst. l. 9. c. 3.

[b] Life of *Cic.* v. ii. p. 207.

reverse of what the contemplative Politician would make it. The argument of the whole was nothing but *flattery*, as himself says [c]; and the things advised were little else than what he thought would be agreeable to *Cæsar*, whether they were advised by *Cicero* or not; and therefore *Cicero* looks upon it as a notable feat of *conjectural* skill, that he had advised in his Letter what *Cæsar* actually sent word at this time that he purposed to do, *viz.* “to settle the Commonwealth, before he undertook his intended expedition against the *Parthians* [d].” This passage of *Cicero*’s Letter, which he judged to be perfectly agreeable to *Cæsar*’s own designs [e], was altered, but not *softened*, as the *Vindicator* says, by his friends *Balbus* and *Oppius*, who possibly might think *Cicero* a little too intruding, and had a mind to keep the advising of *Cæsar* in this particular intirely to themselves: for the intended *settlement of the Commonwealth* was principally the *designation of Magistracies*, civil and provincial, for a certain number of years; which *Cæsar* actually did accomplish in order to his *Parthian* expedition; and this was looked upon as the greatest stretch of *regal* power, and was in fact no less than a total subversion of the constitution and *liberty of the Republic*. A fragment of *Cicero*’s Letter to *Brutus*, in which he is consulting him, as he was *Atticus*, concerning the delicate subject of a Letter to *Cæsar*, must be

[c] Quid enim aliud argumentum epistolæ nostræ, nisi *κοινωνία*, fuit? — Ep. ad Att. xiii. 27.

[d] Id ipsum, quod isti aiunt illum scribere, se, nisi *constitutis*

rebus, non iturum in *Parthos*; idem ego suadebam in illa epistola. Ib. Ep. 31.

[e] De *Parthico* bello quid spectare debui, nisi quod illum velle arbitrabar? Ib. Ep. 2.

referred either to this or a much higher period. "Since many things," says he, "have been proposed, which *Cæsar* may be *honestly* advised to do; shall I perform the part of a good and *sincere* man, if I advise what I have last mentioned? I cannot say that indeed [e]."

As to the continuance of their correspondence, and especially from the time of *Cæsar*'s death to *Brutus*'s departure out of *Italy*, we find a minute account of it in the Letters to *Atticus*, who rarely failed of having the Letters of them both communicated to himself; and that the correspondence of this period was actually made public, the *Vindictor* must either allow, or give up a favourite hypothesis, that *Plutarch* had very little curiosity about seeing any of *Cicero*'s genuine Letters [f]. For, besides the Letters written by *Brutus* upon his leaving *Italy*, which shall be considered by and by, *Plutarch*, after citing his Letter to his friends concerning the Shews, which he gave as *Prætor* the beginning of the *July* after *Cæsar*'s death, tells us farther, that he earnestly intreated *Cicero* by letter to do honour to them by his presence [g]. It appears from the Letters to *Atticus*, that *Cicero* had been pressed on this subject more than once; and it may be observed, that he sends the copy of *Brutus*'s Letter to *Atticus*, though he knew that *Atticus* had received Letters from *Brutus* himself by the same

[e] Poterat me liberare M. *Cicero*, qui ita scribit ad *Brutum*; *Propositis plurimis, quae honeste suaderi Cæsari possunt, summe bonus vir, si hæc suadeam?*

Minime. Quintil. l. 3. c. 8.

[f] *Mid. Pref. Diff.* p. 96.

[g] "Εγχαφε δὲ καὶ Κικέρωνι, πάντως παρασχεῖν ταῖς δέαις δέον. Plut. in Brut. p. 994.

express [b]. I will then recommend this Conclusion to be considered by the Vindicator at his leisure,

VI. THAT the *eight* books of Letters between *Cicero* and *Brutus*, which are cited by the Antients, did in fact contain a correspondence, which, beginning when *Cicero* was Proconsul of *Cilicia*, was carried on through all *Cæsar*'s reign, and after it, until *Brutus*'s departure out of *Italy*.

I have now fully considered the Vindicator's *short history of the suspected Epistles, as it is delivered from the earliest tradition*; the result of which is, that perhaps he may not chuse to maintain any external *tradition* or testimony concerning them more early than *Petrarch*'s age; nor has he shewn the *incredibility* of a modern, much less of an antient forgery. If we are to admit, that *Nonius* cites, from the *ninth* book of the collection of Letters between *Cicero* and *Brutus*, a *passage of the first of these Epistles now remaining, which seems to have been written about the end of the year in which Cæsar was killed*; then he presumes, without any shew of reason, that *there was no room for a forgery of the suspected Letters as long as the genuine Letters were in being*; and the Sophist might propose to himself, in undertaking the work, to draw up an *Epilogue or Supplement* to the genuine Letters in eight books, so as to carry on the history where these Letters dropt it. On the other hand, if we are to believe, upon the credit of the *vulgar* reading of *Nonius*'s text,

[b] — *Idem illud, ut spectem ludos suos. — Misi ad te exemplum epistolæ; quanquam*

mihi tabellarius noster dixerat, tibi quoque se attulisse literas a Bruto. Ep. ad Att. xv. 26.

H 4

that

that the *first* of the *suspected* Letters is cited by him from a *first* book of the Letters between *Cicero* and *Brutus*; then do I affirm, that this *first* book of Letters, which *Nonius* used, was not the *first* book of the original collection of Letters between *these two great men*, which was known to the Antients before *Nonius*, and consisted of *eight* books. The Vindicator himself, here at least, justly presumes, that these Letters were originally digested into books, according to the *order of time* in which they were written; and it appears, that the original collection of them in *eight* books did in fact contain a correspondence of the interval between *Cicero's* being Proconsul of *Cilicia* and *Brutus's* last departure out of *Italy*; nay, that the *first* of these books did really belong to the times in which the correspondence first began. And, as all this correspondence passed before the period in which the Letter which *Nonius* cites from a *first* book is supposed to be written, so it is utterly improbable in the thing itself, and is proved, from history and the accounts of *Cicero's* genuine Letters, to be even impossible, that the complement of the original collection in *eight* books should have followed that period; or that *seven* entire books, and perhaps a great part of an *eighth* book of Letters should be written after *the end of the year in which Cæsar was killed*. The Vindicator then, if he will assert the genuineness of his old *Grammarian's* text, may make his option, whether the *passage* of the *Epistles now remaining* must be cited by *Nonius* from the *first*, or from the *ninth* book of the collection of Letters between *Cicero* and *Brutus*; since, in the one case, all our *suspected* Letters

Letters would not be so much as a *part*; in the other, they might be a *supplemental part* of the original collection. And that they were not ever universally received, either in the more *early* or the later times, as a necessary part, nor were to be found in all the copies of the original collection, may be probably gathered from the *different number* or title of the book which contained the *first* of them, and from *their not being inserted*, when *five genuine Letters of Cicero to Brutus* were *inserted among the familiar Epistles*, where they are to be found at this day.

I NOW enter more particularly upon a defence of the grounds on which I founded my *suspicions* concerning the genuineness of the Letters in dispute; and my *arguments* might have deserved an acknowledgement different from what the Vindicator is pleased to make, if he is sincere in saying, that *they have had no other effect but to persuade him more strongly than ever, that the Letters are Originals*, and that he *can hardly doubt but every reader will be of the same mind* [i]. However, as I find him, in the whole course of our debate, generally most angry where there is nothing to blame, and most confident where he has the least to say; so I am not without hopes, that *many readers* may be of my mind, when they see in the Letters “ a great
“ *variety of facts, and several of them not touched*
“ *upon by any other writer* [k], *several different-*
“ *ly represented by every other writer, and several*
“ *evidently false, and contradicted by the ge-*

[i] *Mid. Pref. Diff.* p. 12.

[k] *Ib.* p. 118.

“ *nuine*

“ nuine works of *Cicero*; — many formal *predi-*
 “ *ctions* and *conjectural* anticipations of *particular*
 “ and *casual* events both on *Brutus*’s side and on *Ci-*
 “ *cero*’s, as well as many direct *relations* of events as
 “ *past*, which were actually *future* at the time when
 “ the relations are pretended to be made; — seve-
 “ ral *absurdities* in the sense, and *improprieties* in
 “ the language; — in the Letters of *Cicero* an in-
 “ tire want of the masterly comprehension, the ge-
 “ nuine purity, and flowing copiousness of the *Ci-*
 “ *ceronian* composition; — and in the Letters of
 “ both the Parties a *sameness* of *reflection*, and a
 “ style and manner of writing perfectly *similar*, even
 “ in impropriety; — and, lastly, such a *laboured*
 “ and *precise punctuality*, both in diction and senti-
 “ ment, as to declare them to be the fruits rather
 “ of scholastic curiosity and meditation, than of
 “ the genuine acts and affairs of real life.”

I am not ashamed to own again to the Public,
 that the first occasion of my *suspecting* the Letters
 was taken from my *coming* to them *fresh* from the
 reading of *Cicero*’s genuine *Epistles*, and from per-
 ceiving on a sudden a total alteration in the chara-
 cter and style; and though *all arguments drawn from*
style are said to be of too loose and precarious a na-
ture, to have any great weight in questions of this
sort [1], yet that they may be sufficient for private
 conviction at least, the Vindicator himself asserts,
 when he tells us, that, *for his own part, he takes*
Cicero’s hand to be so clearly discernible in the Letters
 to *Brutus*, as to think it hardly possible that they

[1] *Mid. Pref. Diss.* p. 114.

could have been written by any body else [m]. However, I was well aware, with the bold and successful disturber of even the Tyrant *Phalaris*'s quiet and immemorial possession of his *Epistles*, that, if I had no other argument but the style to detect the spuriousness of the suspected Letters, I myself indeed should be satisfied with that alone; but I durst not hope to convince every body else [n]: and therefore I began with another sort of proof, which, though I durst not hope with him, that it would affect the most slow judgments, and assure the most timid and incredulous, yet, when it makes its appearance in *English*, will expose to more general view the merits of the Vindicator's assertion, that the reader must needs be surprized to see so bold an attempt so weakly supported, and scarce a single objection produced, but what is grounded either on mistake or misapplication of the testimonies alledged to confirm it [o].

I produced, in the first place, two remarkable passages, in which *Plutarch* gives us extracts from some Letters of *Brutus* to *Cicero* and *Atticus*, which, we both agree, were unquestionably genuine [p]. I will recite the passages in the Vindicator's words, as far as I can consistently with the *Greek* original. As to the Letter to *Cicero*: "When *Cicero*," says *Plutarch*, "out of hatred to *Antony*, had espoused the interests of *Octavius*, *Brutus* reproved him for it severely, expressing by letter, that *Cicero* had no aversion to a master, but was afraid only

[m] *Mid. Pref. Diff.* p. 115.

[n] *Bentley's Diff. on Phal.* Introd. p. 20.

[o] *Mid. Pref. Diff.* p. 123.

[p] "The original Letters

"were extant, as we have seen, to the time of *Plutarch*."

Ib. p. 13. Comp. p. 4.

"of

“ of a master that hated him; that all his measures
 “ tended to procure an easy servitude, since he was
 “ constantly declaring in his letters and speeches,
 “ that *Octavius* was a good-natured man; whereas
 “ our Ancestors, says he, would never endure even
 “ their Fathers to be Masters or Tyrants: that,
 “ for his own part, he had not to this time *made*
 “ *any determined resolution either to enter into war,*
 “ *or to sit still*; but he had made one resolution,
 “ not to be a Slave: that he was surprized, that
 “ *Cicero* should have so much dread of a civil and
 “ dangerous war, yet have none, at the same time,
 “ of a base and inglorious peace; but should de-
 “ mand, as the reward of dispossessing *Antony*
 “ of his Tyranny, to make *Octavius* Tyrant in his
 “ stead. Such was *Brutus* in his first Letters [q].”

THE other passage regards a Letter of *Brutus*, which, *Plutarch* tells us expressly, was addressed to *Atticus*. “ *Cicero’s* hatred to *Antony*,” says he, “ in the first place, and, in the next, the impotency of his own ambition induced him to espouse *Octavius*, whose power he hoped to make subservient to his political measures. For the young man carried himself so obsequiously towards him, as to call him even Father. Upon which *Brutus*, being greatly incensed, inveighed against *Cicero* in his Letters to *Atticus*, “ That by the ob-
 “ servance which he pays to *Octavius*, through fear
 “ of *Antony*, he plainly shews that his aim is, not
 “ to procure the Liberty of his Country, but a
 “ kind Master only to himself [r].”

[q] Plut. in Brut. p. 994.
 Mid. Pref. Diff. p. 20, 21.

[r] Plut. in Cicer. p. 883.
 Pref. Diff. p. 21.

THESE two passages are allowed to agree very well in the main with the general argument of the two famous Letters of Brutus, which are still extant [s] in the suspected collection; the one to Cicero, and the other to Atticus. And since there is so confessed an agreement in the main, or their general argument, and yet a manifest disagreement in several and some very material circumstances, my hypothesis was, “ that some Sophist, happening to read these “ true sentiments of Brutus in Plutarch or some other “ Historian, took the hint to forge the Latin Letters upon that plan, and executed it accordingly; “ but, either through negligence or incapacity, because he wanted a conjuncture of affairs more “ suitable to his fancy, or because he did not think “ it necessary to observe an exact conformity in “ all respects, has so varied from his plan, as to afford us the means of discovering the artifice.” To this the Vindicator replies, that *he must be a stupid Sophist indeed, who, after forming the plan of a work, by which he hoped to deceive the world, could be so careless in the execution of it, as to contradict his Author in the very articles, which he was borrowing from him*[t]. Where, first, he does not consider, that every Sophist whatsoever, who has ventured to meddle with the historical facts of antient times, has been so stupid as to contradict his Authors in the very articles, which he was borrowing from them; and thereby given an occasion of detecting him. Secondly, he makes an arbitrary supposition, that the Sophist formed the plan of his work in hopes of de-

[s] *Mid. Pref. Diff. p. 21.* 17.
Brut. Ep. ad Cic. et Att. i. 16, [t] *Pref. Diff. p. 23.*

ceiving the world. And, lastly, he must charge all this stupidity on *Plutarch*, who is allowed to have perused the original Letters of *Brutus*, and gives us extracts from them in *two* of his Lives; and, we may modestly suppose, was not less careful in the execution of his work, to inform the world, than our Sophist was to deceive it.

THE variations of less moment are, that the sentiments of *Brutus's* original Letters to *Cicero* and *Atticus* have changed their places in the *two* Letters to the same persons, which are still extant. This the Vindicator asserts to be nothing to my purpose; since those who follow fact and plain sense would make no other reflection upon it, but that *Plutarch* was negligent and inaccurate [u]. Yes, another reflection is full as agreeable to plain sense, that a Sophist, in a Rhetorical essay, might transfer the sentiments of the original Letters, as it suited his convenience; and the reflection upon *Plutarch's* negligence is confuted by fact, and the very words of *Brutus*; which plainly declare themselves to have belonged to a Letter to *Atticus*; and yet the sentiment of them is now found in the Letter to *Cicero*, which is still extant [x]. Again, *Plutarch* relates as a matter of fact, that *Octavius* called *Cicero* his Father; but the

[u] *Mid. Pref. Diff. p. 22.*

[x] Ἐφ' ᾧ σφόδρα βέλτος ἀγα-
νακτῶν ἐν ταῖς πρὸς Ἀττικὸν ἐπιστο-
λαῖς ΚΑΘΗΨΑΤΟ τῷ Κικέρωνος,
“ ὅτι διὰ φόβον Ἀντωνίου δεραπέυων
τὸν Καίσαρα, ΔΗΛΟΊΣ ἔστιν ἐκ
ἐλευθερίαν τῇ πατρίδι πράττων, ἀλ-
λὰ δεσπότην φιλόφρων ἀνὴρ
μνῶμενος. *Plut. in Cic. p. 883.*
Denique quod pulcherrimum

fecisti ac facis in *Antonio*, vide
ne convertatur a laude maximi
animi ad opinionem formidinis.
Nam si *Octavius* tibi placet, a
quo de nostra salute petendum
sit; non dominum fugisse, sed
amiciorem dominum quaesisse vi-
deberis. *Ep. Brut. ad Cicer. i.*
16.

suspected *Brutus* writes the same thing in his Letter to *Atticus* [y]. Lastly, *Brutus* in the original Letter charges *Cicero* with declaring in his Letters and Speeches, that “*Octavius* is a good natured man;” but *Brutus* in the Letter still extant charges *Atticus* with writing, that “*Antonius* is a good natured man [z].” I had indeed taken the liberty, upon *Plutarch*’s authority, to suggest an emendation of this passage in the Letter, by changing the name *Antonius*, which is the reading of the Editions, into *Octavius*; and to observe farther, that, as the copy might be amended from the original, so the original might be amended from the copy; and that *Brutus* should say in *Plutarch*, that “our Ancestors would never endure even their FATHERS to be Masters or Tyrants [a].” The vulgar reading of *Antonius* may be retained, if the Vindicator pleases; for it was as easy for the Sophist to misapply the facts, as it was to misplace the sentiments of the Author from whom he was borrowing; and we shall meet with many such caricatures of real History in his drawings, before we have done with him. But if my emendation is contradictory to history, because it does not appear that *Atticus*, to whose Letter *Brutus* is here answering, had any personal acquaintance or commerce with *Octa-*

[y] Licet ergo Patrem appellet Octavius Ciceronem. Ep. Brut ad Att. i. 17.

[z] Quam vis sit vir bonus, ut scribis, Antonius. Ib.

[a] Οἱ δὲ πρόγονοι, φησὶν, ἡμῶν εἰδὲ παλῆρας [vulg. παῖρας] δεσπότας ὑπέμενον. Plut. in Brut.

p. 994. Sed dominum, ne parentem quidem, majores nostri voluerunt esse. Ep. Brut. ad Att. i. 17. The word παλῆρας is written παῖρας in the MSS. and might be easily corrupted into παῖρας.

vius till many years after [b] ; the same charge of contradiction to history will lie against the vulgar reading, which implies, that Atticus was touched with a particular compassion for Antony's deplored condition, when his affairs were thought quite desperate ; in which disposition it was natural to mention him with some tenderness to Brutus [c]. Now we are told with the same breath, that Atticus had given an intimation in his Letter, to which Brutus is here answering, that Antony had recovered some considerable strength since his flight from Modena, and that his affairs did not seem so desperate as they were commonly imagined [d]. For my part, I had so favourable an opinion of the Sophist, who never gave us the characters of either Atticus or Brutus, as to think him incapable of making Atticus not only to be touched with a particular compassion for Antony, when he had recovered such considerable strength, but to mention him (let his condition be what it would) with some tenderness to Brutus. Atticus indeed, though he had an intimacy with Cicero and the greatest friendship for Brutus, is yet celebrated by the Antients, and particularly by Nepos, for acting a most generous part to Antony, and performing all manner of good offices to his wife and children at Rome, when it was unpopular and invidious to express the least regard for him ; but Nepos does not say, that Atticus was ever touched with a particular compassion for the person or interests of Antony, or that he mentioned him with any tenderness either to Cicero or Brutus. On the contrary,

[b] *Mid. Ep. to Brut. p. 108.*
not, 19.

[c] *Mid. ib.*

[d] *Mid. ib. p. 107. not. 18.*
he

he constantly approved of their most vigorous measures to oppress him [e], and performed good offices to his family at Rome, not out of particular friendship to Antony, but out of a divine foresight, as Nepos calls it, of a possible turn of affairs [f]; and the same principle, which excited his compassion for Antony's family, would naturally make him cautious of mentioning him with tenderness to Brutus. As to the other emendation; the Vindicator makes Brutus express in a towering climax his resentment against Cicero, for "declaring in his Letters and Speeches, " that Octavius was a good-natured man; whereas " our Ancestors, says he, would not endure even a " gentle, that is, a good-natured Master." And this may be a specimen of his ability to admire the majesty of Brutus's manner, and to take his hand to be so clearly discernible in the suspected Letters.

BUT the main contradiction between the original Letters of Brutus, which Plutarch had seen, and the suspected ones, which are still extant, is, that the

[e] Cicero sent his second Philippic to Atticus, with a permission to publish it or not, as he thought fit. Ep. ad Att. xv. 13. Atticus both approved of the matter, and corrected the style of it; but concerning the publication made answer, *Illo tempore opus est, quod fuit, illis Triumviris*; upon which Cicero cries out, *Moriar, nisi facere*. The wit of Atticus's reflection turns upon M. Antony and his two Brothers, Caius and Lucius, who might be called *Triumviri* on a double account, as they alone had the joint administration

of the public affairs, and as each of them was the Husband of three Wives. Atticus therefore says, that for the publication of the speech — *there is need of such a time as was* (i. e. is not now; when all liberty is oppressed) and of such *Triumviri*, in the latter sense of the word, as are. Ib. xvi. 11.

[f] *Secutum est bellum gestum apud Mutinam. In quo si tantum eum prudentem dicam, minus quam debeam praedice; cum ille potius divinus fuerit, etc.* Nep. in vit. Att.

former were written by *Brutus while he continued in Italy*; the latter declare themselves to have been written much later, *when Brutus was in Macedonia*: nay, the Letter to *Atticus* is supposed to acknowledge an intimation given by him, *that Antony had recovered some considerable strength since his flight from Modena, gathered up his scattered troops and joined with Ventidius [g]*; and the date of the Letter to *Cicero* is placed a considerable time after *Octavius*, by his demand of the Consulate, as well as by every other step, *seemed to be entering into measures to oppress the Republic, and to revenge his Uncle's death [h]*. Here then being the great point of difference between us on this head, I must maintain against the Vindicator, that the *original* Letters, seen by *Plutarch*, were written by *Brutus while he continued in Italy*; and this I shall do, 1. From the matter of the extracts which *Plutarch* gives us; 2^{dly}, From the context of *Plutarch* and from what he says expressly concerning them; and, 3^{dly}, From the probability of the thing itself.

THE extracts of the Letter to *Cicero* do plainly express, “ that he was then *afraid* of a Master that hated him, *i. e. Antony*; “ that all his measures tended to *procure* an easy servitude, *i. e. under Octavius*; “ that he had a *dread* of a civil and dangerous war; and “ that he would demand, as a reward of *dispossessing* Antony, to make *Octavius* Tyrant in his stead. The Vindicator had once rightly translated the last passage in these words [i]; but modestly *imagining*, *that few of his readers would take the pains to com-*

[g] *Mid. Ep. of Cic. p. 107.*
not. 18.

[h] *Ib. p. 180. not. 1.*
[i] *Mid. Pref. Diss. p. 21.*

pare his translations, as still fewer might be disposed to compare them with the Greek [k], he afterwards makes it declare, that *Cicero* demanded the reward of having dispossessed Antony of his Tyranny [l]; and consequently makes *Brutus* write at the same time to *Cicero*, that he had already got the better of Antony in the civil war, and yet was in dread of a civil and dangerous war, because he was afraid of Antony. — Again, the original Letter to *Atticus*, which *Plutarch* had seen, as plainly expresses, that *Cicero* was paying observance to Octavius, through fear of Antony; and was procuring not the liberty of his Country, but a kind Master to himself.

BUT I must present to the reader a specimen of the Vindicator's skill in confuting all the objections of his Adversary, that is, by passing them by. I did not, for brevity's sake, insist on any one of these contents of *Brutus's* original Letters, which are not by any means agreeable to the ideas of the Letters still extant, and evidently carry up their date to a time when the civil war, strictly speaking, was not so much as commenced, and therefore when *Antony* was not pulled down, nor *Octavius* set up in his place: I contented myself with a single particular, which seemed to me to be decisive. *Brutus*, in his Letter to *Cicero*, says, "that, for his own part, he had not to this time made any determined resolution, either to enter into war, or to sit still; but he had made one resolution, not to be a Slave." This passage, after all the softening of the Translator, or

[k] Τὸν δὲ Ἀντώνιον ἔκβα- Plut. in Brut. p. 994.
λεῖν τῆς τυραννίδος μισθὸν αἰ- [l] Mid. Pref. Diss. p. 44.
τεῖ τὸ Καίσαρα καλεῖσθαι τύ-

his mistakes of *Plutarch's* Greek [m], can imply nothing less, than that "*Brutus* had not yet entered into war, nor signified by any overt-act or public declaration, that he certainly would." This particular I maintain to be absolutely incompatible with the whole plan of the two *suspected* Letters to *Atticus* and *Cicero*, in which *it is expressly delivered*, that they were written from Macedonia, some time after the battle of Modena [n]; that is, some months after *Brutus* had entered into the war, and even after he had sent his public Letter to Rome, giving a particular account of his successes in Macedonia.

AND here I might safely rest my cause, on the express testimony of one of *Brutus's* Letters, acknowledged on all hands to be indisputably *original*; but I may venture to go farther, and maintain the assertion, "that it is not only manifest from *Plutarch's* context, but that *Plutarch* himself, by the Vindicator's own consent, expressly declares, that the original Letters of *Brutus*, to which he refers, were written before *Brutus* left Italy." As to the Letter to *Cicero*; *Plutarch* is as express as if he had told us in so many words, that *it was written before Brutus left Italy*. For, after giving us the citations from the Letter, he immediately reflects upon them: "Such," says he, "was *Bru-*

[m] Ἀντὶ τῶ δ' εἰς τὸ τοιοῦτον καιρὸν
μήτε πολέμῳ βεβαίως δεδῶχθαι,
μήτε ἡσυχάζειν ἀλλ' ἐν μόνον εἶναι
βεβουλευμένον, τὸ μὴ δελεῖν. *Plut.*
in *Brut.* p. 994. — "That for
his part, he had not thought
proper as yet, either to enter

"forwardly into war, nor wholly to sit idle, but had taken only this single resolution, not to live a Slave." *Mid.* Pref. Diff. p. 20.

[n] *Mid.* ib. p. 45.

“ *tus* in his first Letters; BUT now people divid-
 “ ing into parties, and some siding with *Cæsar*,
 “ the others with *Antony*, and the forces being bar-
 “ tered for on both sides for money, and bought,
 “ as at an auction, by the highest bidder, *Brutus*,
 “ in absolute despair of affairs, TOOK THE RESO-
 “ LUTION TO LEAVE *Italy* [o].” Then as to the
 Letter to *Atticus*; the Vindicator is as express to
 the full, that the Letter to *Cicero* was CERTAINLY
 LATER *than the other* to *Atticus* [p]. It is therefore
 with very little reason that he, especially, can tri-
 umph over the *Critic’s negligence*, to say no worse of
it, for affirming, that *Plutarch expressly declares* the
 original Letters to have been written *before Brutus*
left Italy [q]; and with still less reason he himself
 affirms, that in the *case of neither Letter does Plu-*
tarch say expressly, either when, or where they were
written [r]. — Nor has he better success with the *con-*
text of Plutarch. With regard to the Letter to *Ci-*
cero again; the *context*, he confesses, seems to imply,
 that it was written by Brutus in Italy; and, as far
 as we may guess from the context, it was written in
 Italy [s]: and with regard to the Letter to *Atticus*;
 though he is confident, that the *context is so far*
from shewing it to be written while Brutus was in
Italy, that, from the facts and circumstances annexed,
it clearly shews the contrary [t]; yet I say, that the
facts and circumstances immediately annexed clearly

[o] Ἐν μὲν ἔν ταῖς πρώταις ἐ-
 πιστολαῖς τοῦτος ὁ βρεῦτος, ἡ ΔΗ
 ΔΕ τῶν μὲν ὡς Καίσαρα, τῶν δ’
 ὡς Ἀντώνιον διισταμένων, — παρ’ ἡ-
 πασι καὶ ἀγνῆς τῶν πραγμάτων, ἐ-
 γινω καὶ ἀληπεῖν Ἰταλίαν. Plut. in

Brut. p. 994.

[p] *Mid. Pref. Diff.* p. 32.

[q] *Ib.* p. 31.

[r] *Ib.* p. 32.

[s] *Ib.*

[t] *Ib.* p. 31.

shew, that it was written either while *Brutus* was in *Italy*, or while he was at a place, and at a time, which the *Vindicator* would not rather chuse; that is, long before *Brutus* entered into the war. For *Plutarch*, having told us with what severity *Brutus* expressed himself against *Cicero* in his Letters to *Atticus*, “YET NOTWITHSTANDING, OR YET FOR ALL THIS [u],” says he, “*Brutus* taking to him *Cicero*’s Son, who was pursuing his philosophical studies at *Athens*, gave him a command in his troops, and had great success by his means [x].” Whence it clearly appears, that *Brutus*’s Letter to *Atticus* was previous to his taking up *Cicero*’s Son at *Athens*; and it farther appears from history, that young *Cicero* had a command in the army and contributed to the successes in *Macedonia*, several months before the suspected Letter to *Atticus* declares itself to be written [y].

AFTER all, the *Vindicator* confesses in effect, that I rightly represented both the *text* and the *context* of *Plutarch*, and is obliged to use the desperate expedient of diminishing the Historian’s authority, which is pretended to be made the foundation of my hypothesis [z]. Now this small part of my hypothesis, which relates to *Brutus*’s original Letters, is not founded on the bare authority or accuracy of *Plutarch*, but chiefly on the very words of *Brutus*, which are produced in the two Lives of *Cicero* and *Brutus*. However, it may not be amiss

[u] *Mid. Pref. Diff.* p. 29.
[x] ὍΥ ΜΗΝ ἈΛΛΑ τὸν υἱὸν
παῖδα τῷ Κικέρωνος ὁ Βρούτος, etc.
Plut. in Cic. p. 883.

[y] Legio, quam L. Piso du-
cebat, legatus Antonii, *Ciceroni*
se filio meo tradidit. *Phil.* x. 6.
[z] *Mid. Pref. Diff.* p. 23.

to examine the objections made to *Plutarch*; and the rather because we shall have occasion to observe, that those two Lives are at great variance with the *English* Life of *Cicero*, in assigning the motives, and in relating the circumstances of several important transactions, especially where *Cicero* had the principal management. And it is remarkable, that the Vindicator particularly *appeals* to *Plutarch's* Life of *Cicero*, for the *truth* of his round charge upon him of *all the imaginable marks of negligence, inaccuracy, and want of due information* [a].

I may well be excused paying the least regard to the method, so familiar to him, of *scientifically* demonstrating a point of mere *fact*, viz. *that* *Plutarch's* Lives *must needs be imperfect and superficial*, because *the attempt of writing the Lives of all the illustrious Greeks and Romans was above the strength of any single man, of what abilities and leisure soever* [b].

What is further urged would be much more to the purpose, were it exactly true; *that* *Plutarch, as he himself tells us, was so PERPETUALLY engaged in PUBLIC BUSINESS, and in giving lectures of Philosophy to the great men of Rome, that he had not time to make himself master of the Latin tongue, nor to acquire ANY OTHER knowledge of its words, than what he had gradually learnt by a previous use and experience of things* [c]. *Plutarch* himself really tells us, “ that he had generally lived in the retirement of “ his own city, and *during the stays* he made at “ *Rome* and in other parts of *Italy* was so engaged “ in his *Rhetorical exercises* and lectures of Phi-

[a] *Mid. Pref. Diff.* p. 24.

[b] *Ib.*

[c] *Ib.* *Comp. Pref. to Life of Cic.* p. 24.

“ *losofhy,*

“ philosophy, that he had not time to make himself
 “ master of the *Latin* tongue; on which accounts,
 “ it was late and when he was advanced in life that
 “ *he applied himself to the study of the Roman Let-*
 “ *ters*; when he did not *so much* acquire the know-
 “ ledge of things by the words, as of the words by a
 “ previous use and experience of things [*d*].” Now
 the Life of *Demosthenes*, in which he makes this de-
 claration, was written immediately *before* his Life of
Cicero; and these two Lives together being ori-
 ginally only the *fifth book* of *Plutarch’s parallel*
Lives [*e*], it is pretty plain, that he had acquired
 the knowledge of the *Latin* tongue before he en-
 gaged in the *attempt of writing the Lives of the illu-*
strious Greeks and Romans. Nor is this in the least
 inconsistent with what he declares in the same place,
 “ that he would draw the parallel between *Demo-*
 “ *sthenes and Cicero* with regard only to their *actions*
 “ and *political administrations*; since he was not a
 “ sufficient judge of their competition for the prize

[*d*] Ἐν δὲ τῇ Ῥώμῃ καὶ ταῖς
 περὶ τὴν Ἰταλίαν διατριβαῖς ἡ σχο-
 λῆς ἕως γυμνάζεσθαι περὶ τὴν
 Ῥωμαϊκὴν διάλεκτον ὑπὸ ΧΡΕΙΩΝ
 ΠΟΛΙΤΙΚΩΝ καὶ τῶν διὰ φιλοσο-
 φίαν πησιάζοντων, etc. Plut. in
 Demosth. in init. The Dis-
 courses, which the masters made
 in their public auditories, were
 either *Political* or *Philosophical*.
 Itaque quum in circulum venisset,
 in quo aut *de Rep.* disputaretur,
 aut *de Philosophia* sermo habere-
 tur, etc. Nep. in vit. Epam.
 The former were called *Χρεῖαι*,
 concerning which see Quintil.
 Inst. Orat. l. 2. c. 4. *Plu-*

tarch’s Morals, in great mea-
 sure, consist partly of these
Χρεῖαι, or discourses on *practical*
 or *forensic Theses*, and partly of
Philosophical disputations. Ne-
 que non mihi est vero perquam
 simile, quot hodie sunt nobis in
 manibus Plutarchei *commen-*
tarii et Philosophicae disputatio-
nes, tot esse fere *scholas* illius,
 quas *Romae, quamdiu in ea con-*
stitit, habuit. Ruald. vit. Plut.
 c. 14.

[*e*] — Ἐν τῷ βιβλίῳ τούτῳ, τῶν
 παραλλήλων βίων ὅντι πέμπτω,
 περὶ Δημοσθένους καὶ Κικέρωνος. —
 Plut. in Dem. ib.

“ of

“ of *Eloquence*, because he wanted the leisure and
 “ practice which were necessary to form a just taste
 “ of the *beauty, force, metaphorical proprieties*, and
 “ *harmony* of the *Roman* expression.” In like man-
 ner, when he observes in the *Life of Cato the El-*
der, that his *Eloquence* somewhat resembled his na-
 tural temper, being both pleasant and grave, affe-
 ctionate and forcible, jocular and severe, moral and
 contentious; “ Whence, says he, I know not how
 “ it comes to pass, that some liken his manner to
 “ that of the Orator *Lyfias*. But this I refer to
 “ those who should be better able to distinguish the
 “ characters of *Latin* compositions [f].”

As it does not appear from either of these decla-
 rations of *Plutarch*, that he was not sufficiently qua-
 lified for a compiler of a *Roman history*, for the want
 of a competent skill in the *Latin tongue* [g]; so the
 contrary plainly appears from his practice, and the
 use which he continually makes of the *Latin Ora-*
tors and Historians in all his *Lives* of the illustrious
Romans. And this is even confirmed by the one
 or two of his mistakes, which *M. Secousse*, an inge-
 nious member of the *French Academy*, has taken
 notice of, as seeming to be derived from the equivocal
 sense of the *Latin word*, and *Plutarch's imperfect*
knowledge of it [b]. The same ingenious person has

[f] *Plut. in Cat. maj.* p. 340.
Longinus, where he gives an ex-
 act judgment of the differing
 characters of *Demosthenes's* and
Cicero's eloquence, makes the
 same confession concerning him-
 self: Εἰ καὶ ἡμῶν ὡς Ἑλλήσιν ἐφεῖ-
 ται τι γινώσκουσιν, — ἀλλὰ ταῦτα

μὲν ὑμεῖς ἀν' ἀμείνων ἐπιτελείετε.
De Sublim. § xii.

[g] *Mid. Pref. Diff.* p. 24.

[b] *Ibid.* p. 25. *M. Secousse*
 observes, how justly I shall not
 now inquire, that *Plutarch*, in
 transcribing *Livy*, confounds
Sutrium, a town situate in E-

indeed

indeed exemplified his censure upon *Plutarch* by many instances of his mistakes in history from the *Lives* of *Camillus*, *Lucullus*, and *Pompey*. But I will venture however to say, that these instances are neither so many, nor of so great importance, as those instances of the *Vindicator's* mistakes arising from his own imperfect knowledge, or else the corrupted readings of *Cicero's* expression only, which were collected from his single *Life of Cicero*; and yet he himself has pronounced them to be of little or no moment, either to the general truth of the history, or the credit of the work [i].

BUT his censure upon *Plutarch*, being far more severe and comprehensive than that of *M. Secousse*, stands in great need of a more distinct exemplification and stronger evidences to support it. He says then, that the most decisive testimony in the case is that of *Plutarch* himself, who confesses the very fact that he affirms [k]. The fact affirmed is, that in *Plutarch's* *Lives*, and especially the *Lives of Cicero* and *Brutus* (for these are the case, or the matter of our present dispute) we see all the imaginable marks of negligence, inaccuracy, and want of due information. The confession of *Plutarch* therefore, which is so decisive in the case, does not relate to the case at all:

truria, and allied to the *Romans*, with *Satria* or *Satricum*, the name of a Roman colony in the country of the *Volsci*; and that *Plutarch* understands *Livy*, where he says of *Camillus*, "occasionem juvandarum ratione virium trahendo bello quaerebat," concerning his

health of body; whereas *Livy* is thought to be speaking of the condition of his army. *Hist. de L'Academ. Royal. Des Inscriptions*. tom. 5. p. 173, 4. Conf. *Liv.* 1. 6. c. 22, 3. et *Plut.* in *Camill.* p. 148, 9.

[i] *Mid. Pref. Diff.* p. 124.

[k] *Ib.* p. 25.

For

For whatever it is, *Plutarch* himself expressly restrains it to the Lives of *Alexander* and *Cæsar*, which made one distinct *book* or volume of his *parallel Lives*; and the reason he assigns for it is, *the multitude of actions*, which belonged to the subjects of those Two Lives in particular [l]. Thus the *Vindicator's* notable clue, by which he would conduct us through all the inextricable confusion and inaccuracy of *Plutarch's* Lives, is broken at once. For by the help of it he can unravel *the manner that we might expect from his own account* to be pursued in the Life of *Cicero* [m]; and immediately takes to himself the honour of discovering a *maxim*, which *Plutarch* constantly pursued, and of which there are infinite examples in ALL those Lives [n].

HIS reasoning is not less faulty in laying down false premisses, than in drawing a conclusion so much larger than the premisses. Can it well be imagined, that *Plutarch* should confess his negligence, inaccuracy, or want of due information, even in the Lives of *Alexander* and *Cæsar*? All he does, in fact, confess, though he ought indeed to have confessed in a language better understood, is, that he would intreat the reader not to find fault, “if I do not,” says he, “give a relation of all their actions, nor “even of their most celebrated ones, severally and “elaborately, but summarily for the most part [o].”

[l] Τὸν Ἀλεξάνδρου τῆ βασιλείας βίον καὶ τῆ Καίσαρος—ἐν τούτῳ τῷ βιβλίῳ γράφουσι, διὰ τὸ πλῆθος τῶν ὑποκειμένων πράξεων, ὅθεν ἄλλο προεβῆμεν, etc. *Plut. in Alex. init.*

[m] *Mid. Pref. Diss. p. 30.*

[n] *Ib. p. 26.*

[o] —εἰ μὴ πάντα, μηδὲ καθ' ἕκαστον ἐξεργασμένως τὰ τῶν περιβοήτων ἀπαγγέλλωμεν, ἀλλ' ἐπιτέμνουσι τὰ πλεῖστα, —*Plut. in Demost. init.* “If I do not de-

“scribe all their celebrated acts,

Here

Here is not a word of his overlooking *their most celebrated actions*, or of treating them in a slight way, and without any kind of accuracy [p]; much less of his treating them without any regard to time or order [q]: all which the Confessor, through the excess of his zeal, will force into *Plutarch's* confession, and publish to the world, that this is *as Plutarch himself professes; nothing more in effect, than what he himself has declared; and what we might expect from his own account of the design and method, which he pursued in that work* [r].

THIS most decisive testimony then must itself be supported by one or two examples from the Life of *Cicero*. As to the latter example, which the Vindicator alledges, and declares to be *the more glaring proof of Plutarch's negligent manner* [s]; since he has not thought fit to distinguish any instance of *buddling over the great events of history, without any regard to time or order*, I can easily presume, that there is nothing greatly amiss, and shall only observe on this head, that I have found out a more certain maxim, which *Plutarch constantly pursued, and of which there are infinite examples in all his Lives*. For *Plutarch*, writing the Lives of many illustrious persons of the same age and country, who were likewise concerned in a series of the same events and affairs, such as *Crassus, Pompey, Cæsar, Cato, Cicero, Antony, and Brutus*; it was necessary in every single Life to select the circumstances,

"nor even the particular ones,
"with any exactness; but cut
"short the greatest part of
"them." *Mid. Pref. Diff.* p. 25.

[p] *Ib.* p. 26.

[q] *Ib.* p. 30.

[r] *Ib.* p. 26, 30.

[s] *Ib.* p. 29.

or give but a *summary* account of many great events, which were common to them all, and to be so full of the *apophthegms*, *jest*s, and whatever else was properly *characteristic* of his several Heroes; but the quality of such an undertaking must require a premeditated and well-digested plan, and an accurate and extensive view of things; so far is it from being a *glaring proof* of a *negligent manner*, or a necessary cause of *treating things without any regard to time or order*. This observation we shall have an immediate occasion to apply.

THE Vindicator's other *example* deserves our consideration, as it properly relates to the present subject. He introduces it with premising, that *Plutarch* had been giving an account of *Cicero's return to Rome from his intended voyage to Greece, and of the open quarrel, which then first broke out between him and Antony* [t]; but he quickly tells us in effect from *Plutarch*, that no open quarrel broke out even then; for he makes him only say, that *from this time, whenever they met, they passed by each other without any mark of respect*. I should be glad to know how often they met and passed by each other after *this time*. But as to *Plutarch*; he rather says, "That in this manner they continued afterwards, " *marching against one another without coming to* " *blows, and observing one another's motions;* " *till young Octavius, having come from Apollonia,* " *took possession of the inheritance of his Uncle* " *Cæsar, and entered into a controversy with An-* " *tony about 2500 Myriads, which he detained of*

[t] *Mid. Pref. Diss.* p. 27.

" that

“ that estate. Upon which, *Philippus*, who had
 “ married *Octavius*’s mother, and *Marcellus*, who
 “ had married his sister, bringing the young man
 “ with them to *Cicero*, made an agreement with
 “ him, that *Cicero* should assist *Octavius* with the
 “ power of his eloquence and interest, both in the
 “ Senate and with the people; and that *Octavius*
 “ should afford *Cicero* the protection of his money
 “ and troops. For the Youth had got about him a
 “ considerable number of veterans, who served un-
 “ der *Cæsar*, and *Cicero* seemed very willing to
 “ embrace his friendship [u].”

THE first particular, which is fixed upon among all the proofs of negligence and inaccuracy, that a writer could possibly give within so small a compass, is, that in opening the grounds of *Cicero*’s breach with Antony *Plutarch* says not a syllable of *Cicero*’s first Philippic, which was spoken at that very time, and was the foundation of that breach [x]. It is allowed to the Vindicator, that he has improved upon *Plutarch*, in giving us so much of *Cicero*’s Philippics; but *Plutarch* is the more happy Historian in opening the grounds of *Cicero*’s breach with Antony, and opens them so well as to shew, that the first Philippic was rather the superstructure than the foundation of that breach. He had just observed, that their mutual jealousies were of a much higher date, and subsisted, in some measure, even

[u] Καὶ τὸ λοιπὸν ἔτις ἀνι-
 παρξινίης ἀτρέμα καὶ φυλαττόμενοι
 διετέλυν· ἄχρις δὲ Καίσαρ ὁ νέος ἐξ
 Ἀπολλωνίας ΠΑΡΑΓΕΝΟΜΕΝΟΣ,
 τότε τε κληρὸν ἀνεδέξατο τῷ Καί-

σαρος ἐκείνου, etc. *Plut. in Cic.*
 p. 883.—till young *Octavius*
 arriving from *Apollonia*—*Mid.*
Pref. Diff. p. 27.

[x] *Mid. ib. p. 28.*

before *Cæsar's* death [y]; upon which event, *Antony's* great power alarmed all the friends of liberty, but immediately became formidable to *Cicero* in particular, and was the real motive of his desiring to make the voyage in quality of *Dolabella's* Lieutenant. This is all perfectly agreeable to the representation of the Letters to *Atticus*, from which it is evident, that *Cicero* was persuaded of *Antony's* designs upon his life; and on that very account, resolved upon his voyage a little while after *Cæsar's* death [z]. Nay, the Vindicator himself, to serve another turn, can tell us, *that Cicero, from the moment of Cæsar's death, constantly urged Brutus to vigorous measures, and not to trust to Antony, who would promise every thing and perform nothing* [a]: and this *Cicero* himself declared in a publick Assembly at the very time of *Cæsar's* death [b]. We could derive their jealousies from an higher fountain still, from a series of *Antony's* personal indignities to *Cicero* long before; but I should not mention facts so commonly known, were it not to shew what a compliment is paid to the *English* reader, when he is told, that even till *Brutus* left *Italy*, *Cicero chose to keep up a shew of friendship and fair correspondence with Antony, and that Antony likewise observed the same*

[y] Καὶ περὶ καὶ προὔπη-
χεν ὑποψίας αὐτοῖς πρὸς ἀλλήλους.
Plut. in Cic. p. 882.

[z] Ep. ad Att. xiv. 7. Conf.
xv. 11. Proficiscor, ut constitue-
ram, *legatus* in Graeciam? *Caedis*
impendentis periculum nonnihil
vitare videor. xiv. 13. *Dolabellæ*
mandata sint quælibet. — Genus
illud *interitus*, qua causa cursus

est, foedum duces, et quasi *de-*
nuntiatus nobis ab Antonio.
xv. 20.

[a] *Mid. Pref. Diff.* p. 67.

[b] Dicebam illis in Capitolio
liberatoribus nostris, — quoad
metueres, omnia te promissu-
rum; simul ac timere desisses,
similem te faturum tui. Phil.
ii. 35.

forms

*forms of civility on his part [c]. As to the instance alledged, of M. Antony's complaisance, in desiring Cicero's consent to the restoration of S. Clodius from exile [d]; it is related in a Letter dated Apr. 26, and Cicero was well aware even so soon after the Ides of March, that Antony would act as arbitrarily in restoring S. Clodius, as he did in every thing else; and would little regard whether he obtained Cicero's consent to it or not [e]. The other instance of Antony's Brother Lucius's writing particularly to Cicero, to free him from any apprehensions of Antony's soldiers [f], gives Cicero the occasion to complain of the misery of the times after Cæsar's death, and how much they endured, and were like to endure, from Antony [g]; and Cicero continues in his apprehensions, notwithstanding the civility of Lucius's Letter, that he might be marching the soldiers to his Tusculum [h]. But I had so great a regard for the Author of the divine eloquence of the *Philippic Orations*, that I could never prevail upon myself to expose Cicero's complaisance to Antony, in relation to Atticus's business, and the restoration of S. Clodius from exile [i]; and since for several prudential rea-*

[c] *Mid. Pref. Diss. p. 37.*

[d] *Ib. p. 38.*

[e] *Ego autem Antonio facillimum me præbui. Etenim ille, quoniam semel induxit animum sibi licere quod vellet, fecisset nihilominus me invito.* Ep. ad Att. xiv. 13.

[f] *Mid. Pref. Diss. p. 38.*

[g] *Ib. p. 53.*

[h] *Habeo unum beneficium: alterum fortasse, ni in Tuscu-*

lanum venerit. Ep. ad Att. xv. 12.

[i] He tells Antony; *Cum te semper amavi, primum tuo studio,—tum his temporibus Respublica te mihi ita commendavit, ut cariorem habeam neminem.* Whereas he tells Atticus, at the very same time; *Redeo—ad miseram, seu nullam potius Rempublicam.* M. Antonius ad me scripsit de restitu-

sons he chose to keep up a shew of friendship and fair correspondence with Antony [k], and therefore his complaisance might rise in proportion to his fears; we will pass it over as silently as we can.

PLUTARCH then rightly assigns the chief occasion of Cicero's intended voyage; and as the Vindicator confirms his account, in saying that Cicero was so little pleased with Antony at this time, that he took a resolution of making a voyage to Greece [l]; so he happily agrees with him in telling us farther, that Cicero being driven back by contrary winds to Rhegium, and meeting there with some fresh intelligence from Rome of a change of disposition in Antony to measures of peace, he dropt all farther thoughts of the voyage, and turned back towards Rome [m]. But here is the material difference between the two Biographers: the English one relates, that Cicero, upon his arrival at Rome, found his hopes frustrated [n]; whereas the Greek one is agreeable to known fact, and even countenanced by Cicero's own Orations, in relating that Cicero would not make his appearance in the Senate the day after he arrived, pretending indisposition from his journey, but really because he had received information on the way of Antony's secret attempts against his life. Antony, being incensed at the imputation, was sending soldiers, or servants of the Public, either to bring him

tionē S. Clodii. Ep. ad Att. xv. 1.

xiv. 13, et seqq. Again, as to [k] Mid. Pref. Diff. p. 37.

Atticus's business, he says, Cum [l] Ib. p. 38.

Antonio—sic agemus, ut perspi- [m] Ib. p. 39. Conf. Plut.

ciat, si in eo negotio nobis fa- in Cic. p. 882.

tisfecerit, totum me futurum suum. [n] Pref. Diff. ib.

to the Senate by force, or to set fire to his house [n]; but taking only his pledges of good behaviour, he forbore, or was quiet for the present: and “in this manner,” says *Plutarch*, “they continued afterwards “marching against one another without coming to “blows, and observing one another’s motions.” Thus it appears, that there was *quarrel* enough between them before the *first Philippic*; which *Plutarch* indeed does not formally mention, but he plainly alludes to it, and describes with great propriety and a very expressive conciseness the way in which their hostilities were carried on from the period of *Cicero*’s returning back to *Rome*. For *Antony* gave the challenge in the Senate on the *first* of *September* when *Cicero* would not come; and *Cicero* took the field there the next day and spoke the *first Philippic*, when *Antony* was gone. *Antony* repeated his challenge and answered this *Philippic* on the *nineteenth* of the same month, when *Cicero* again was dissuaded from venturing to the Senate [o]. Then *Cicero* consulted with his friends, whether he should strike up a *truce*, or make an open reply in the same assembly [p]; but contented himself with writing his *second Philippic*, which was to be kept close up as long as *Antony* continued in power, nor did ap-

[n] — Cumque de via languerem, et mihi met displicerem, mihi pro amicitia, qui hoc ei diceret. At ille, vobis audientibus, cum fabris [publicis operis] se domum meam venturum esse dixit. Phil. i. 5. — Fabros se missurum et domum meam disturbaturum esse dixit.

v. 7.

[o] Cum is dies, quo me adesse jufferat, — quo die, si per amicos mihi cupienti in Senatum venire licuisset, caedis initium fecisset a me. Phil. v. 7.

[p] Inducias, quas scribis, non intelligo fieri posse. Melior est ἀνασφαλισία, qua me usurum arbitror. Ep. ad Att. xv. 13.

pear abroad till upwards of three months afterwards [r]. And we find *Antony* in the mean time holding an assembly of the Senate, when *Cicero* did not think fit to face him upon the spot [s].

THE Vindicator proceeds to *buddle over* other proofs of *Plutarch's* negligence and inaccuracy, in making *Octavius's* arrival from *Apollonia* to happen after *Cicero's* rupture with *Antony*, which is still said to have been in the beginning of *September*; and in representing the agreement between *Cicero* and *Octavius* as concluded at their first meeting, and at *Rome* [t]. But these are proofs, not of *Plutarch's*, but his Accuser's negligence. For *Plutarch* does not so much as say that this agreement was concluded at *Rome*, much less that it was concluded at the first meeting of *Cicero* and *Octavius*; and concerning *Octavius's* arrival from *Apollonia*, he only says, that it “ was before he took possession of the inheritance “ of his Uncle *Cæsar*.” But as this is no proof of *Plutarch's* negligence, so it is an eminent instance of the maxim which *Plutarch* constantly pursued in all his Lives. For in one of his Lives he relates, that *Octavius* came from *Apollonia* towards *Rome* as soon as ever he received the information of his Uncle's death [u]; and in another of his Lives he makes *Octavius's* arrival at *Rome* to happen at the period that the Accuser does, when he pursued his claim

[r] Utinam eum diem videam, cum ista Oratio ita libere vagetur, ut etiam in Sicae domum introeat. Ep. ad Att. xvi. 11. Comp. Life of Cic. v. ii. p. 335.

[s] In a. d. iv. Kal. Dec. distulit: adesse in Capitolio iussit.

—Convenerunt corrogati, et quidem amplius quidam homines, sed immemores dignitatis suae. Phil. iii. 8.

[t] Mid. Pref. Diff. p. 28, 9.

[u] —— Ἀμα δὲ τῷ παύσεισθαι τὸ πάθος, ἦλθεν εἰς Ῥώμην. Plut. in Brut. p. 994.

to Cæsar's estate, as his heir and adopted Son, and seems to have placed Cæsar's golden chair in the Theatre, &c [x]. As Octavius had some interviews in the country with Cicero, before his own arrival at Rome, and pursued his claim to Cæsar's estate, &c. before Cicero entered on his voyage to Greece; so his controversy with Antony about that estate gave occasion to the proposal made to Cicero, some time after he returned from his voyage and spoke his *first Philippic*: and this is all that Plutarch's text either does express or can be understood to imply.

BUT Plutarch's relation of the agreement between Cicero and Octavius, being what the Vindicator exerts all his powers of rhetoric and reasoning to confute, must not be passed over with so little ceremony. The amount of it is, "that upon Octavius's controversy with Antony about the 2500 Myriads, which were detained of his Uncle's estate, the agreement was made by Philippus and Marcellus, that Cicero should assist Octavius with his eloquence and interest, and Octavius protect Cicero with his money and troops." Octavius's claim of succession to his Uncle's private estate, as his heir and adopted Son, was of itself matter only of *personal* contest between him and Antony, who detained that estate from him; but by natural consequence and Octavius's artful improvements, it became a matter of more extensive concern, and engaged the expectations and divided the affections of all the considerable parties of the Republic at this time. In the first place, it was joined with the succession

[x] Comp. Plut. in Ant. p. 922. and *Mid. Pref. Diff.* p. 35, 6.

to the *name* of *Cæsar*, which was looked upon by the Chiefs of the *Cæsarean* party as an earnest of the continuance of the public settlement made by *Cæsar* in the person of *Octavius*, and on the same account it was always suspected by the more discerning Republicans. In the next place, it gave him the plausible occasion of being a distinguished assertor of *Cæsar's* acts, and of the full execution of all his bequests; by which means he drew upon himself the eyes of all the Veterans, the military force of the Empire, and interested the whole populace of *Rome* in his cause; since it was the common cause of all who were expecting with impatience the effect of *Cæsar's* liberality [y]. *Octavius* had the address to improve these opportunities to the best advantage, and made it the grand object of his measures to place himself at the head of the *Cæsarean* interest; and accordingly he very early assumed and particularly affected the character of a *Revenger* of *Cæsar's* murder [a], and professed himself a candidate of the extraordinary honours, as well as of the inheritance and name of his Father [b]. It was from this view of the general tenor of his conduct, supported by notorious facts, that I asserted against the Vindica-

[y] Populo hortos circa Tiberim publice, et viritum trecentos sestertios legavit. Suet. in *Caes.* c. 83.

[a] Omnium bellorum initium et causam hinc sumpsit, nihil convenientius ducens quam necem avunculi vindicare tuerique acta. Consectim ut *Apollonia* rediit, Brutum, Cassiumque et vi, nec—opinantes, et, quia praevisum periculum subterfugerant, legibus aggredi eosque

caedis absentes deferre statuit. Ib. in *Aug.* c. 10. Conf. *Appian.* De bell. civ. p. 534.

— patiens vocari
Cæsaris ultor.

Hor. Carm. i. 2.

[b] At quæ concio? nam est missa mihi. Jurat ita sibi parentis honores consequi liceat: et simul dextram intendit ad statuam. *Μηδὲ σωθῆναι ὑπὸ τοῖς τοῖς.* Ep. ad Att. xvi. 15.

tor (who, agreeably to the representation of the *suspected* Letters, made Octavius first form the plan of his power at the victory before Modena [b]) that “there
“ were substantial reasons for suspecting the am-
“ bitious designs of Octavius long before that
“ time [c].”

HE has since deserted the defence of this part of his hypothesis; but is *surprized*, that a man, who has made any study of the Epistles to Atticus, can declare an opinion, that Brutus, before he left Italy, could have as substantial reasons for censuring Cicero's inconsiderate rashness in making Octavius so great [d]; in support of which opinion I produced not only the testimonies of Brutus himself and of Plutarch, but several passages of the Epistles to Atticus. The Vindicator does not attempt to throw any new light upon these passages, but roundly affirms, upon the credit of the Epistles, that from the first interview between Cicero and Octavius, after his arrival from Apollonia, though Octavius paid all imaginable court to Cicero, and solicited him afterwards by letters and messages, to take his affairs under his protection; yet Cicero constantly declined it, and would not enter into any agreement with him, till the November following, when it was brought about by the mediation of Oppius [e]. Before we join issue upon this head, I will mention a fact from the same fruitful page of Plutarch, who, after relating that Cicero seemed very willing to embrace Octavius's friendship, tells us what the current or declared reasons of it were,

[b] Life of Cic. v. ii. p. 436. [d] *Mid. Pref. Diff.* p. 33.

[c] Ep. ad C. Middlet. p. [e] *Ib.* p. 29.

viz. that *Cicero* was many years before presented in a dream with the visage of a little boy, under whose command an end should be put to the civil war between *Cæsar* and *Pompey*; that he recognized the resemblance in the person of young *Octavius*, when he happened to see him among his play-fellows for the first time; and that he thence contracted an early fondness for, and familiarity with the child, who was farther recommended by his having been born in the year of *Cicero*'s consulship. Since the *Vindicator*, in his *Life of Cicero*, takes every opportunity of observing, that it is contrary to the philosophy of *Cicero* and all the *men of sense* in his time, concerning Dreams and Divinations, to pay any great regard to so slight an occurrence; I am content with insisting only, that *Cicero* might, as the *History* intimates, make use of these *pretences* in public, or to his friends; or that *Plutarch* and other grave *Historians*, particularly *Suetonius* [f], might find some such tradition the more easily prevail, in order to account for the *marvellous eagerness* which *Cicero* shewed in espousing the interests of *Octavius* afterwards.

THIS *eagerness* may be carried up as high as the first moment of *Octavius*'s landing at *Naples*; when if, on the one hand, *Octavius* paid all imaginable court to *Cicero*, 'tis certain, on the other, that *Cicero* was as willing to embrace his friendship. *Octavius* landed on the 18th of *April*, and his agent *Balbus*, the prime minister to old *Cæsar* for city-affairs, waited on him next morning, and acquainted *Cicero* the same

[f] Suet. in *Aug.* c. 94. Conf. *Dion. Hist. Rom.* p. 270.

day with his resolution of asserting against *Antony* his right of succession to *Cæsar's* estate [g]. In two days time *Balbus* is again with *Cicero*, who was now informed, that *Octavius* was intirely at his devotion [b]; and a fragment of *Cicero's* Letter, cited from the first book of his Letters to *Octavius*, says, "What regard I have for *Balbus*, and how intirely I have devoted myself to him, you may learn from himself [i]." At their first interview, which began before *April* 22, and was of some continuance, *Octavius* treated *Cicero* with the greatest respect and friendship: but here *Cicero* first learnt, that he pretended to the Name as well as the Estate of *Cæsar*. By this name *Philippus*, his Father-in-law, who always suspected his ambitious designs, would not address him; and because *Philippus* did not, neither did *Cicero* [k]. Here likewise from

[g] Ep. ad Att. xiv. 10.

[b] Hic mecum *Balbus*. — Modo venit *Octavius*, et quidem in proximam villam *Philippi*, mihi totus deditus. Ib. Ep. 11.

[i] M. Tull. Ep. ad *Caesarem*, lib. 1. *Balbus* quanti faciam, quamque ei me totum dicaverim, ex ipso scies. Non. in voc. *Dicare*. Conf. in voc. *Opinio*.

[k] — Sui *Caesarem* salutabant; *Philippus* non; itaque ne nos quidem. Ep. ad Att. xiv. 12. Conf. Ep. 11. The suspected *Brutus* seems to allude to this passage, when he says to *Atticus*, "How much better does *Philippus* seem to understand those subjects, who was more reserved in his concessions to a Son-in-law,

"than *Cicero* to a stranger?" Ep. ad Brut. i. 17. Here the Dr. remarks, "that *Brutus* does not seem to have been exactly informed of the transactions at *Rome*, by charging *Cicero* with a greater forwardness in decreeing honours to *Octavius*, than even his Father-in-law approved; since, as we shall find from a following [suspected] Letter, besides the honours mentioned above, which *Cicero* decreed, *Philippus* decreed the additional honour of a Statue in the *Rostra*." Mid. Ep. of Cic. p. 107. not. 17. But it appears from the following suspected Letter (Mid. ib. p. 153.) that *Brutus* must have been exactly informed of this transaction of *Philippus* the

the number of *Cæsareans* about *Octavius's* person (and the case would be still worse, when he got among the *Veterans* at *Rome*) *Cicero* formed his conjectures, that “ he should have little to do in the “ management of affairs [l]:” and was so little pleased either with *Antony*, his mortal enemy, or with *Octavius*, whose mind was fixed on greater pursuits, that finding himself disappointed in his eagerness to embrace *Octavius* at this time, he took a resolution of making a voyage to *Greece* [m]. *Octavius's* behaviour at *Rome* was covered with the thin disguise of keeping up a fair correspondence with the Senate and Republicans, but declared by every fact, that he was *Antony's* rival for the *Cæsarean* interest; as *Antony's* treatment of him was a plain indication of his jealousies on that head. The political judgment, which *Cicero* made on the merits of that competition, and of *Octavius's* disposition towards the Public and himself in particular, he thus expresses to *Atticus* in the last Letter, which mentions *Octavius*, before his intended voyage. “ *Octa-*

lippus, had he really moved for the additional honour of the Statue. For the Statue was decreed either together with the honours of *Propraetor*, &c. mentioned above, which *Cicero* moved for, or before them. Eum [Caesarem] senatus honoratum equestri statua, quae hodieque in Rostris posita aetatem ejus scriptura indicat, — *Propraetorem* — bellum cum Antonio gerere jussit. Paterc. l. 2. c. 61. And the suspected *Brutus* is here reproaching *Cicero* many months after,

for the first public measures that *Cicero* entered into with relation to *Octavius*. *Mid. Pref. Diff.* p. 43.

[l] — Nego posse bonum civem, ita multi circumstant, qui quidem nostris mortem minitantur. — Quid censes, cum Romam puer venerit, ubi nostri liberatores tuti esse non possunt? qui quidem semper erunt clari. — Sed nos, nisi me fallit, jacebimus: itaque exire aveo. *Ep. ad Att. xiv. 12.*

[m] *Mid. Pref. Diff.* p. 38.

“ *vianus*

“*vianus*,” says he, “as I clearly saw, has parts
 “and spirit enough, and seemed to be affected as we
 “could wish towards our Heroes; but how far we
 “may trust his age, name, succession, education, is
 “matter of great deliberation. His Father-in-law
 “thinks we ought not to trust him at all. *But yet*
 “*he must be supported*, and, though we do nothing
 “more, *he must be kept at a distance from Antony*.
 “It is well, if *Marcellus* is his Præceptor (if our
 “friends are Præceptors *to him*, who is *ours* in his
 “own disposition) to whom he seemed to be much
 “devoted; but to have no confidence in *Pansa* and
 “*Hirtius*. He is naturally well disposed, if it does
 “but hold [n].”

THIS professed judgment of *Cicero*, that *Octavius* must be set up for the pulling down *Antony* at least, is not only expressly declared by *Plutarch*, and charged upon him by *Brutus* in his Letters, but actually put in execution by himself, when, after his return to *Rome*, he begins to resume his public character and openly act a part in the administration of affairs; and there are many circumstantial evidences of an agreement being made, at the very time when *Plutarch* says it was, “that *Cicero*
 “should assist *Octavius* in his civil controversy with
 “*Antony* by his eloquence and interest in the Senate
 “and with the people; and that *Octavius* should
 “protect *Cicero* with his money and troops.” The month of *September* was the crisis of *Cicero*’s open hostilities with *Antony*; and though the *Vindicator* relates, that *Antony* left *Rome* about the end of Se-

[n] Ep. ad Att. xv. 12.

ptember

ptember [o], yet we find him, after the beginning of *October*, in the heat of his controversy with *Octavius*, who spoke *to the people*, being produced into the *Rostra* by the Tribune *Canutius* [p]. *Cicero* was accused by *Antony's* party of being the contriver of *Canutius's* whole management [q]; and as the likeness of their circumstance, in perpetually inveighing against *Antony*, gave *Paterculus* an occasion of comparing the characters of their Eloquence [r], so their alliance in support of *Octavius* was chiefly influenced by their common hatred to *Antony* [s]. About the same time “ *Octavius* formed a design “ against *Antony's* life, and actually provided cer- “ tain slaves to assassinate him; who were disco- “ covered and seized with their poignards in *An- “ tony's* house.—The story was supposed by ma- “ ny to be forged by *Antony*, to justify his treat- “ ment of *Octavius* and his depriving him of the e-

[o] Life of *Cicero*, v. ii. p. 328.

[p] Itaque dixit Non. *Octavius*, productus in concionem a *Canutio*. Turpissime ille [*Antonius*] quidem discessit: sed tamen ea dixit de conservatoribus patriae, quae dici deberent de proditoribus. Ep. Fam. xii. 3. The vulgar reading is, Itaque a. d. sext. non. Octob. — *Pighius* first restored *Octavius*, which name is manifestly required by the sense; and that the *ille* refers to *Antony* appears farther from Ep. 23.—Cum in concione dicere ausus sit *Antonius*, *Canutium* apud eos sibi locum quaerere, quibus se salvo locus in civitate esse non posset.

[q] De me quidem non dubitanter, quin omnia de meo consilio—*Canutius* faceret. Ep. Fam. xii. 3. — *Tiberium Canutium*, a quo erat honestissimis contentioneibus et saepe et jure vexatus, — aditu prohibere Capitolii. Phil. iii. 9.

[r] M. *Tullius* continuis actionibus aeternas *Antonii* memoriae inussit notas, sed hic fulgentissimo et coelesti ore; at *Tribunus Canutius* continua rabie lacerabat *Antonium*. *Paterc.* l. 2. c. 64.

[s] Καρνετίος ὁ Δήμαρχος ἐχ-
θρὸς ὦν Ἀντωνίῳ, καὶ παρ' αὐτὸν Καί-
σαρι φίλος. Appian. De bell.
civ. p. 553.

“ *state*

‘*state of his Uncle*; but all men of sense, as *Cicero* “*says, both believed and applauded it [t].*” Here it may be added, that *Cicero* himself not only *believed and applauded the story*, but together with his Nephew *Quintus* was indicted by *Antony* as *Octavius’s* adviser and accomplice in *forming the design against his life [u]*; which *Cicero* was so far from denying, that he openly avowed it in the Senate; asserting it to be a measure “*necessary both to* “*private safety and public liberty, in which there* “*was no good man who would not chuse to have* “*a share [x].*” *Octavius*, in the words of *Plutarch*, “*had now got about him a considerable* “*number of Veterans, who served under Cæ-* “*far,*” and was expending vast sums of money in maintaining the controversy with *Antony [y]*; and having thrown himself into the hands of the Senate, at the recommendation of *Cicero [z]*, he gave such

[t] *Life of Cicero*, v. ii. p. 322. *Ep. Fam.* xii. 23.

[u] *Idem etiam Q. Ciceronem, fratris mei filium, compellat edicto. — Nam me eidem edictis nescit laedit an laudet.* *Phil.* iii. 7.

[x] *Quid enim accidere huic adolescenti potuit optatius, quam cognosci ab omnibus, Caesaris consiliorum esse socium, Antonii furoris inimicum? — Quorum consiliorum Caesari me auctorem et hortatorem et esse et fuisse fateor. — Nam interitus quidem tui quis bonus non esset auctor, cum in eo salus et vita optimi cujusque et libertas P. R. dignitasque consisteret?* *Ib.* 7, 8. *Hortantibus itaque nonnul-*

lis percussores ei subornavit. *Suet.* in *Aug.* c. 10.

[y] *Urbe repetita hereditatem adiit. — Atque ab eo tempore exercitibus comparatis, etc.* *Suet.* *ib.* c. 8. *Conf.* *Dion.* p. 273. *Firmissimum exercitum ex invicto genere veteranorum militum comparavit, patrimoniumque suum effudit.* *Phil.* iii. 2. *App.* *De bell. civ.* p. 541.

[z] *Adversante conatibus suis M. Antonio, — ac ne publicum quidem et tralatitium jus ulla in re sine pactione gravissime mercedis impertiente, ad optimates se contulit, quibus eum invisum sentiebat.* *Suet.* *ib.* c. 10. *Κιχέρωνι δὲς ἐαυτὸν ὁ νεανίας, καὶ τοῖς ἄλλοις ὅσοι τὸν Ἀντώνιον ἐ-*
affu-

assurances of his good affections to the Republic, that *Cicero* in particular was fully convinced of the reality of his professions, and expressed his *great hopes* from him in his private Letters, declaring, that he would be “ actuated in every thing by a “ principle of honour and glory [a].”

THERE are no Letters to *Atticus* now extant of all the interval between the time of *Cicero*’s setting out on his return to *Rome* and about the middle of the *October* following. *Antony* left the city on the *ninth* of that month, in order to meet and engage with his money *four Legions* from *Macedonia*, which were arrived at *Brundisium* [b]. The first Letter, which renews the correspondence with *Atticus*, acquaints us, that *three* of those *Legions* had insulted *Antony* and rejected his offers [c]. It acquaints us farther with *Octavius*’s enterprizes in the country, his getting over the Veterans of *Casilinum* and *Calatia*, his setting himself at the head of the forces against *Antony*, and his desiring a personal interview with *Cicero* at *Capua*. *Cicero*’s chief objection to this is, that it could not be *private*. He gives us at the same time a remarkable instance of his reserve towards *Atticus*. For notwithstanding that he affects to talk to him in this strain; “ Whether “ General shall we follow? *Octavius* or *Antony*? “ Consider *Octavius*’s name, his age;” yet it is

μίσαν, δι’ ἐκείνων μὲν ᾤκειστο τῇ βουλῇ. Plut. in Ant. p. 922.

[a] Quid quaeris? magna spes est in eo. Nihil est quod non existimetur laudis et gloriae causa facturus. Ep. Fam. xii. 23.

[b] A. d. vii Idus Octobr.

Brundisium erat profectus obviam legionibus Macedonicis iiii. quas sibi conciliare pecunia cogitabat. Ib.

[c] Eae congiarium ab Antonio accipere noluerunt, —et ei convicium grave fecerunt.

Ep. ad Att. xvi. 8.

certain

certain, both from his private Letters and his *Philippic Orations*, that it was by *Cicero's* own advice and authority that *Octavius* levied the Veteran forces of those very *Cæsarean* colonies, *Casilinum* and *Calatia* [d]. And as *Cicero* is now in the direction of *Octavius's* preparations in the field, in the same manner that he was of the controversy in the city; so when he is consulted by *Octavius*, whether he should march his 3000 Veterans directly to *Rome*, or maintain the important post of *Capua*, or intercept *Antony* in his return from *Brundisum*; “Truly,” says *Cicero*, “my advice was, that he should march directly to *Rome*. For he is likely to be favoured not only by the populace there, but even by the friends of the Republic, if he does but perform his engagements [e].” I distinguished this passage, as an incontestable proof of the agreement which *Octavius* had entered into before this time, and which probably was the foundation of *Cicero's* assured persuasion, that he would be “assisted in every thing by the principle of honour and glory.” The facts and authorities alleged above sufficiently evince, that the obligation was reciprocal on *Cicero's* side. And yet the Vin-

[d] Quem [Antonium] ego ructantem et nauseantem conjeci in Cæsaris Octaviani plagas:—qui nisi fuisset, Antonii reditus a Brundisio pestis patriae fuisset. Ep. Fam. xii. 25. Atque ille furens infesta jam patriae signa Brundisio inferebat: cum C. Cæsar,—quanquam sua sponte eximiaque virtute, tamen approbatione auctoritatis meae, colonias patrias adiit, veteranos

milites convocavit. Phil. v. 8. Primumque a Calatia, mox a Casilino veteranos excivit paternos. Paterc. l. 2. c. 61.

[e] Equidem suasi, ut Romam pergeret. Videtur enim mihi et plebeculam urbanam, et, si fidem fecerit, etiam bonos viros secum habiturus. Ep. ad Att. xvi. 8. M. Tul. ad Cæs. jun. Promissa tua memoria teneas. Non. in voc. Promittere.

dicator

dicator did not think fit to offer the passage to the consideration of the reader, who will hardly expect, that I should produce the very words and formality of the *original contract*. Cicero likewise consults Atticus, whether he himself should come to Rome at the same time, or stay where he was, or go farther off to Arpinum; observing, that at Arpinum he would be most secure; most private where he was; but most ready at Rome, if Octavius's cause should come on.

IN the next Letter Cicero continues his account to Atticus of Octavius's progress in his levies, of his reviews at Capua, and of his soliciting, by two Letters in one day, his coming to Rome immediately; since he would transact his affair in the Senate, and by Cicero's management. Cicero again makes no objection to his going to Rome, but that he imagined there would be no assembly of the Senate till the first of January. But with the same reserve towards Atticus he numbers up his scruples; that he does not confide in Octavius's age; does not know his views; would not act without Pansa's concurrence; is afraid that Antony should prevail; dares not be without the opportunities of embarking again; and yet would not be absent when any thing is done [f]. It was from the observation of Cicero's dissembling to Atticus these private transactions with, and direction of the measures of Octavius, that I threw out a censure upon the use of a testimony, which the Vindicator had produced to shew Cicero's strong suspicions of Octavius, even after Brutus's departure out of Italy [g]. The testimony is taken from Ci-

[f] Ep. ad Att. xvi. 9.

Ep. ad C. Middlet. p. 198.

[g] Mid. Pref. Diff. p. 45, 6.

cero's answer to three Letters of *remonstrance*, for the most part, upon the single subject of *Octavius*. "As to what you write," says *Cicero*, "I intirely agree with you, that if ever *Octavianus* shall become very powerful, the Tyrants acts will be much more perfectly rivetted than they were in the Temple of *Tellus*;—but if, on the other hand, he is subdued, *Antony*, you observe, will be intolerable; insomuch that you do not know whom to chuse [*b*]. Here it is asked, *Can any opinion be more explicitly declared, than this is declared here to be Cicero's?* I answer, that *Cicero* was very lately of a quite *different opinion*; but presume to ask in my turn, *Can any thing be more explicitly declared, than that Cicero was acting contrary to Atticus's opinion before this representation from him?* In like manner, *Cicero*, in this very Letter, *intirely agrees with Atticus's advice*, that he should proceed cautiously and *gradually* in aiding *Octavius*; though he *confesses* at the same time, that he was before of a *different opinion* [*i*]. But one thing is *explicitly declared* by the Vindicator's *testimony*, that there were *substantial reasons for suspecting Octavius* at this time; when *Cicero* still retained his principle of *making him great* (though *Atticus* represents the danger of his being *too great*) for fear of the *intolerableness* of *Antony*; or, in the invidious language of *Brutus*, was negotiating for himself a *master*, but a *kind*, instead of an *angry master*. Other *testimonies* might be produced of *Cicero's intirely agreeing*, both before and after this time, with

[*b*] Ep. ad Att. xvi. 14. detentim; assentior: etsi aliter
[*i*] Quod me mones, ut pe- cogitabam. Ib.

Atticus's

Atticus's gentle admonitions to the same effect; which alone is sufficient to shew, that *Cicero* was either of a different persuasion from what he declared to *Atticus*, or acting all along inconsistently with his real persuasion. In one place, "I agree with you," says he, "that I should neither lead in the front, nor bring up the rear; however, let us shew some countenance to the cause [k]:" and in another place, "You have many times," says he, "given me excellent lessons in politics, but nothing is more excellent than the observation of your last, That though in the main and for the present the boy is a fine check upon *Anthony*, yet we should wait to see how the matter will turn out [l]." But I hasten to consider the Vindicator's main proof of his comprehensive assertion, that *Cicero* constantly declined the taking *Octavius's* affairs under his protection, and would not enter into any agreement with him, till the month of November, when it was brought about at last by the mediation of *Oppius*; and we shall find it to be a distinguishing instance of his study of the *Epistles* to *Atticus*, and of his usual scholastic felicity in producing arguments which make directly against himself.

THE proof is taken from a Letter, in which *Cicero* again intirely agrees with *Atticus's* observation, "that the most certain test of *Octavius's* affections would be the Tribunate of *Casca*. Concerning which very thing," continues *Cicero*, "when *Oppius* was intreating me to join together the

[k] Assentior tibi, ut nec duces simus, nec agmen cogamus; xv. 13.
[l] Ib. xvi. 15.
faveamus tamen. Ep. ad Att.

“ *Youth*, and the *whole cause*, and the *Veteran*
 “ *forces* [m]; I answered, that I could not by any
 “ means do it, unless I was persuaded that he
 “ would not only not oppose, but even directly fa-
 “ vour the authors of the Tyrant’s death. When
 “ he affirmed that of him, I said, What need then
 “ of being in a hurry? for he will have no occasion
 “ for me before the *first* of *January*; but we may
 “ know his affections before the *middle* of *Decem-*
 “ *ber* ;” i. e. when *Casca* would be quietly entered
 into the *Tribunate*. Here the *Vindicator* imagines,
 that *Cicero* never took any of *Octavius*’s affairs un-
 der his protection, nor entered into any agreement
 with him, till *Oppius* now proposed it; whereas,
 on the contrary, it is evident from this very passage,
 that *Cicero* had been already engaged in the support
 of the *Youth* and his pecuniary claims; and that *Op-*
pius was pressing farther for *Cicero*’s including in one
 vote (in the assembly of the Senate which was to be
 held on the *first* of *January*, when the new *Consuls*
 entered into their office) not only the *Youth*, but the
whole cause, and the *Veteran forces* [n]; that is,
 that the *Youth* should be invested with a legal com-
 mand; that a public sanction should be given to the
 measures of levying and conducting the forces of the
 Republic by his own private advice; and that secu-
 rity should be provided for the stipends and rewards
 of the *Veteran* soldiers, and the *Martial* and *fourth*
Legions, which followed his fortunes. I dare ven-

[m] — Cum me hortaretur, ut
 adolescentem, totamque causam,
 manumque veteranorum comple-
 terer, etc. Ep. ad Att. xvi. 15.

[n] Quamobrem — mea sen-

tentia complectar, — ut et prae-
 stantissimis ducibus a nobis detur
 auctoritas, et fortissimis militi-
 bus spes ostendatur praemiorum.
 Phil. iii. 6.

ture to say, that such a proposal would be shocking to both *Philippus* and *Marcellus* at this time, whose examples had been just before proposed by *Atticus* for *Cicero*'s imitation [o]; and as the former was always backward in giving the least encouragement to *Octavius*'s public pretensions, so the caution of the latter was formerly mentioned to *Cicero* with *Atticus*'s particular recommendation [p]. The quality and extent then of *Oppius*'s proposal, together with the reply which *Cicero* makes to it, is a clear proof, that he was previously concerned in conducting and supporting the affairs of *Octavius*, and adds a real confirmation to *Plutarch*'s account of an agreement made with *Cicero* by *Philippus* and *Marcellus*, "that he should assist *Octavius* with his eloquence and interest in the Senate and with the people, as to the matter of his private controversy with *Antony*, about the 2500 Myriads of his Uncle *Cæsar*'s estate;" for which end *Cicero* did himself concert the means by which *Octavius* might protect him with his money and troops. We have already seen, that the affair of the controversy might be prosecuted in the Senate, and managed by *Cicero*, long before the first of January; provided an assembly would be called [q], and the Senators were not intimidated by *Antony*'s power [r]. *Anto-*

[o] Nec me Philippus, aut Marcellus movet. Alia enim eorum ratio: et, si non est, tamen videtur. Ep. ad Att. xvi.

14.

[p] Cautum Marcellum! me sic! sed non tamen cautissimum. Ep. ad Att. xv. 13.

[q] —Literae ab Octavio:

nunc quidem, ut Romam statim veniam: velle se rem agere per Senatum: cui ego, non posse Senatum ante Kal. Jan. quod quidem ita credo. Ille autem addit, consilio tuo. Ep. ad Att. xvi. 9.

[r] Putat Senatum statim. Quis veniet? si venerit, quis in-

ny, on the other hand, was watching the opportunities of incapacitating *Octavius*, by declaring him an *Enemy*; for which purpose he called an assembly of the Senate on the 24th of *November*, and adjourned it to the 28th [s]; but was forced to desist upon the *Martial* and *fourth Legions* declaring for *Octavius* [t]. But as to *Oppius's* proposal, though a free assembly of the Senate was held by the *new Tribunes* (and among the rest by *Casca* himself, who was quietly entered into the *Tribunate*) on the *twentieth* of *December* [u]; yet *Cicero*, as he told *Oppius*, could be of no *effective service* to *Octavius*, nor did indeed, a little before, so much as intend to go to the Senate till the *first* of *January* [x]; when the assembly was held by the authority of the *new Consuls*, and *Cicero* did actually procure a decree, “to invest *Octavius* with the legal command of his
“troops, together with the characters of *Proprætor*
“and *Senator*; and to provide for the stipends and
“honours of those who deserved well of the *Repub-*
“*blic* [y].”

certis rebus offendet Antonium?
Ep. ad Att. xvi. 11.

[s] Edixit, ut adesset Senatus frequens a. d. viii Kal. Decembris.—In a. d. iv Kal. Dec. distulit. Phil. iii. 8.

[t] Quo ille nuntio audito, cum Senatum vocasset, adhibuissetque Consularem, qui sua sententia C. *Caesarem hostem judicaret*, repente concidit. Ib. v. 9.

[u] Nunc enim primum ita convenimus, ut — possemus ea quae sentiremus libere dicere Ib. iii. 2. A. d. xiii Kal. Jan.

decretis vestris eum concidistis. Ib. v. 11.

[x] Quanquam statueram in Senatum ante Kal. Jan. non venire; tamen cum eo ipso die edictum tuum propositum esset, nefas esse duxi — me non adesse. Ep. Fam. xi. 6.

[y] Ita censeo decernendum, — Senatui placere C. *Caesarem* C. F. pontificem, *Propraet. Senatorem* esse; — militibus veteranis, qui *Caesaris* pontificis auctoritatemque hujus ordinis defenderint atque defendant; iis liberisque eorum militiae vaca-

IT remains, that I satisfy the Vindicator, or confute what he alledges to the contrary, touching the *probability* of *Brutus's* Letters being written at the time when themselves and *Plutarch* say they were, viz. *before Brutus left Italy*; nor will I take the advantage of his own authority, when he tells us, *that Cicero sent a copy of his second Philippic to Brutus and Cassius, who were infinitely pleased with it, before they left Italy* [z]. Now the *second Philippic* was not finished till about the 25th of *October* [a], being written in reply to *Antony's* speech in the Senate on the *nineteenth* of *September*; though it is *supposed* by *Cicero* to be spoken in the same place the very next day [b]. The Vindicator indeed has since found reason to change his opinion, and expressly affirms, that *Brutus left Italy* before the *first Philippic* was spoken [c]; and building on this as a certain fact gravely observes, that *from the arrival of Octavius to the departure of Brutus there was a continual exchange of letters and messages between Cicero and Brutus, of which frequent mention is made in the Epistles to Atticus* [d]. This, for the amusement of the *English* reader, he exemplifies by a learned detail of passages from the *Epistles*. But all this *exchange of letters and messages* was over before the *interview at Velia, the last which Cicero ever had with Brutus, on the 17th of August* [e]. I al-

tionem esse, etc. Phil. v. 17— rum fuisse? — cur non sumus
19. praetextati? Phil. ii. 43.

[z] Life of Cic. v. ii. p. 321.

[c] Mid. Pref. Diff. p. 39.

[a] Ep. ad Att. xv. 13.

41.

Conf. xvi. 11.

[d] Ib. p. 39.

[b] Nescis heri quantum in
circo diem ludorum Romano-

[e] Ib. p. 41.

low the truth of his observation, *that Cicero left Brutus prepared at that time and ready to sail with his fleet towards Greece; and so was Cassius prepared and ready to sail above a month before [f]: but when he adds, that Brutus undoubtedly did sail within a few days after, he must have doubted of this, would he maintain any consistency with himself, who says with as little doubt elsewhere, that Brutus and Cassius did not leave Italy, till they at last clearly saw, that Antony meditated nothing but war, and that their affairs were growing daily more and more desperate [g]. Nay, concerning Brutus in particular he says, that he continued still in Italy, waiting for some favourable turn of affairs at Rome, till finding his hopes disappointed, he was forced at last to retreat, in order to try his fortune elsewhere [h]. Now on this same 17th of August, Brutus, who was as consistent with himself as either Cicero or his Biographer can pretend to be, told Cicero, that by his desisting from the voyage he removed the most criminal imputation of his forsaking the Republic, as if affairs were become desperate; and that he was then returning to the administration of a free Republic [i]. Upon such intelligences as these Cicero dropt all farther thoughts of the voyage, and turned back towards Rome [k]; nor found his hopes frustrated till he nearly arrived there on the last of August.*

[f] Cassius cum classicula sua venerat. Ep. ad Att. xvi. 2.

[g] Life of Cic. v. ii. p. 321.

[h] Mid. Pref. Diff. p. 68.

[i] —Se autem laetari, quod effugissem duas maximas vitu-

perationes; unam, —desperationis ac relictionis Reipublicae.— Nec ego nunc, ut Brutus censebat, istuc ad Remp. capeffendam venio. Ep. ad Att. xvi. 7.

[k] Pref. Diff. p. 38.

BRUTUS and Cassius were so like in their circumstance and resolution not to be forced to retreat by any menaces of Antony [l], that they persevered to stay in Italy, waiting still to see whether chance might not produce something in their favour, and probably set sail at last either together or within few days of each other [m]. Concerning Brutus, "As far," says Cicero, "as I can understand of his designs, he will sail slowly and touch at many places: but yet I think it is better, that he should sail slowly, than not sail at all [n]." In the same manner he writes to Cassius, in a Letter which acknowledges Cassius's approbation of the first Philippic, and mentions Antony's reply to it made on the 19th of September; "All our hopes," says he, "are in you two, and if you are absent from us, to consult your safety only, they are not even in you. But if you are meditating any expedition worthy of your glory, I wish I may find my safety in it; but if not, the Republic will certainly recover its liberty by it [o]." Cicero writes another Letter to Cassius, in which he tells him, among other acts of Antony's power, that the allow-

[l] Sed pulchre intelligis, non posse nos quoquam impelli. Ep. Fam. xi. 3.

[m] Eundem vidi—Veliae cedentem Italia.—Cassii classis paucis post diebus conseqebatur. Phil. x. 4.

[n] Quantum intelligo, tarde est navigaturus, consistens in locis pluribus: tamen arbitror esse commodius tarde navigare, quam omnino non navigare. Ep. ad Att. xvi. 4.

[o] Vehementer laetor, tibi probari sententiam et orationem meam.—A. d. xiii Kal. Oct.

—quam paratus venerat!—
Spes est omnis in vobis, qui si idcirco abestis ut sitis in tuto, ne in vobis quidem. Sin aliquid dignum vestra gloria cogitatis, velim salvis nobis. Sin id minus, res tamen publica per vos brevi tempore jus suum reciperabit. Ep. Fam. xii. 2.

ance, which his Lieutenant should receive from the Treasury, was intercepted, and that *Octavius*, after the beginning of *October*, litigated with *Antony* before the people [*p*]; the result of which was, that they both left the city in a few days, *Antony* on the *ninth* of that month, to meet the *four Macedonian* Legions at *Brundisium* [*q*], and *Octavius* to make recruits of *Veterans* in the *Cæsarean* colonies of *Casilinum* and *Calatia* [*r*]. Thus these two Letters to *Cassius* connect the two important quarrels with *Antony*, in the one of which *Cicero* was the party, in the other the main advocate; and in this interval of time there was the most ample room for *Brutus* to inveigh so bitterly against *Cicero* for espousing *Octavius* through his hatred to *Antony*. At the conclusion of that interval, and not till then, both *Antony* and *Octavius* meditated *nothing but war* [*s*], and the public *affairs* were quite *desperate*; “people now,” as *Plutarch* says, “dividing into parties, and some siding with *Octavius* and the others with *Antony*, and the forces being bartered for, on both sides, for money, and bought, as at an auction, by the highest bidder; on which account, *Brutus* in absolute despair took the resolution to leave *Italy* [*t*].” *Octavius*, a little time

[*p*] Cetera cujusmodi sint, ex hoc judica, quod legato tuo viaticum eripuerunt, etc. Ep. Fam. xii. 3.

[*q*] Ib. Ep. 23.

[*r*] Ep. ad Att. xvi. 8.

[*s*] Plane hoc spectat [*Octavianus*] ut se duce bellum geratur cum Antonio. Itaque vi-

deo paucis diebus nos in armis fore. Ib.

[*t*] Veteranos — perduxit ad suam sententiam: nec mirum: quingenos denarios dat. — Eae [tres legiones Macedonicae] congiarium ab Antonio accipere noluerunt. — O Brute, ubi es? quantam ευχαρίαν amittis? Ib.

before,

before, gave matter of personal disgust to *Brutus*, by interrupting the shews, which he supplied as Prætor, and was passionately concerned for their success with the people [u]. But, what was his nearest concern, *Octavius* had very early professed, and made several attempts to execute his resolution of vindicating *Cæsar's* murder upon *Brutus* and *Cassius* in particular; and it was always well understood by *Atticus*, and occasionally acknowledged even by *Cicero* himself, that any considerable power in *Octavius* must be absolutely inconsistent with the safety of *Brutus* [x].

I cannot yet dismiss our *fruitful page* of *Plutarch* without observing farther, that whereas he remarks on *Brutus's* Letter to *Cicero*, “Such,” says he, “was *Brutus*, or such a spirit did he express in his “first Letters [y];” the Vindicator makes him say, *To this effect Brutus expressed himself in his first Letter* [z], and takes a new occasion of triumph over *Plutarch's* negligence, because *the Letter to Cicero was certainly later than the Letter to Atticus* [a]. But *Plutarch* calls both these Letters *Brutus's first Letters*; and I observed, that they were so called in opposition to *Brutus's last Letters* [b], of which the reader may not be displeased with a specimen, hardly to be paralleled by any sentiments

[u] Appian. Hist. Rom. p. 541. Existimabam μέλειωρότερον esse: et hercule erat, et maxime de ludis. Ep. ad Att. xvi. 5.

[x] Suet. in Aug. c. 10. Valde tibi assentior, si multum possit Octavianus, — id contra Brutum fore. Ib. Ep. ad Att. 14.

[y] Ἐν μὲν ἔν ταῖς πρώταις ἐπιστολαῖς τοῦτος ὁ Βρῦτος. Plut. in Brut. p. 994.

[z] Mid. Pref. Diff. p. 21.

[a] Ib. p. 32.

[b] Ep. ad C. Middleton. p. 193.

of the *fictitious* Letters. “That *Brutus*,” says *Plutarch*, “did not confide so much in his forces
 “as in his own virtue, is plain from what he
 “writes to *Atticus*, when he is just in the article
 “of danger, *i. e.* at *Philippi*—That his affairs were
 “in a glorious circumstance, since he must either
 “recover the liberties of *Rome* by victory, or keep
 “himself free from slavery by dying; and as their
 “other affairs were in security enough [*c*], it was
 “not yet known whether they should live or die
 “with their liberty; but for *M. Antony*, he was
 “suffering a punishment which his madness de-
 “served, who, when he had it in his power to be
 “of the number of the *Brutus*’s, the *Cassius*’s, and
 “the *Cato*’s, had rather chose to make himself a
 “supplement to *Octavius*; and though he should
 “not happen to be beaten with him now, he

[*c*] These *genuine* sentiments of *Brutus* are very different from what Dr. M. has collected from his *suspected* Letters, which make him —“naturally peevish and
 “querulous; — particularly
 “chagrined by the unhappy
 “turn of affairs; —judging of
 “counsels by events; — oft
 “betrayed into acts of an effe-
 “minate weakness; —strangely
 “various and inconsistent; —
 “expressing an absurd and pee-
 “vish resentment for the sake
 “of his Nephews, when his
 “Brother-in-law *Lepidus* was
 “declared an enemy; as if it
 “would not have been in his
 “power to have repaired their
 “fortunes, if the Republic was
 “ever restored; or if not, in
 “their Father’s; —acting con-

trary to the spirit of that old
 “*Brutus*, whom in his general
 “conduct he pretended to imi-
 “tate; — blaming *Cicero* for
 “dispensing honours too large-
 “ly, yet claiming an infinite
 “share of them to himself; —
 “declaring himself an enemy
 “to all extraordinary commis-
 “sions, when he had seized by
 “his private authority the most
 “extraordinary command;” —
 which inconsistency of his cha-
 racter (continues the Dr.) would
 tempt us to believe, that he was
 governed by the pride and
 haughtiness of his own temper,
 rather than by any constant and
 settled principles of Philosophy,
 of which he *is commonly thought*
 so strict an observer. Life of
Cic. v. ii. p. 471, 2, 3.

“would

“ would certainly be fighting with him e’re long
 “ [d].” — As *Plutarch*, who may now perhaps be
 less agreeable than ever to his brother Biographer, is
 so particular concerning the Letters of *Brutus*, which
 were his *first* and his *last* Letters, relative to his *Ma-*
cedonian expedition; it might be expected, that he
 would not be entirely silent concerning these *suspect-*
ed Letters of the *intermediate* period, if there really
 had been any such. But the Vindicator may take
 the advantage, if he pleases, to the utter ruin of al-
 most the whole collection still extant, of making
Plutarch give the name of *Brutus’s first Letters* to
 the *two famous Latin Letters*, which were written,
 he says, at that *precise time*, when *Brutus*, preparing
 to go from Macedonia into Asia, received the news of
 the change of their affairs at Rome; where young
 Octavius, having now driven Antony out of Italy,
 was become formidable himself, laid claim to the Con-
 sulship, and kept about him great armies [e]. — Up-
 on the whole,

VI. I have sufficiently proved, from the relation
 of *Plutarch* and from the matter of *Brutus’s* Letters
 cited by him, that the *two original Letters* of *Bru-*
tus, which *Plutarch* had seen, and with the *general*
argument of which the *two famous Latin Letters*
 still extant agree very well in the main, were
 written before *Brutus* left Italy. I have farther
 shewn, that as this plainly appears both from the ex-
 press declaration and context of *Plutarch*, in the two
 Lives of *Cicero* and *Brutus*; so the bold and undi-
 scerning charge of all the *possible negligence, inaccura-*

[d] Plut. in Brut. p. 997.

[e] Mid. Pref. Diff. p. 45.

cy, and want of regard to time and order, in these two Lives, is contemptibly supported; and, lastly, that there was a *probable occasion* of Brutus's Letters, before he left *Italy*, arising from Cicero's quarrel with *Antony*, and from Brutus's having substantial reasons for suspecting *Octavius*, and for censuring Cicero's inconsiderate rashness in making him so great.

THE two famous Letters therefore to Cicero and Atticus, which are still extant under Brutus's name, were very probably forged upon the plan, which is given us by *Plutarch*, of Brutus's original Letters to these two persons; the Sophist, besides a want of exactness in other particulars, making his own Letters to be written by Brutus from *Macedonia*, when the original ones were written in *Italy*, and many months before. We shall meet with more instances of the like Sophistic oversight or contrivance, if we proceed to examine the *historical* character of the Letters themselves. Brutus begins the Letter to Atticus; "You write me word," says he, "that Cicero wonders, why I never take any notice of his acts [*f*]." These acts of Cicero, which Brutus studiously avoided to take any notice of, by which it is clearly implied, that there was something in them that displeased him; were, according to the Translator, his exerting all his pains and authority at Rome, to support the tottering Republic, and making it his particular care, to strengthen the hands of Brutus and Cassius [*g*]. Now as it is im-

[*f*] Scribis mihi, mirari Ciceronem, quod nihil significem unquam de suis actis. Ep.

Brut. i. 17.

[*g*] *Mid. Ep. of Cic. to Brut.* p. 102. not. 1.

possible, that either the *true* or the *suspected* Cicero should entertain the thought, that these acts were *clearly displeasing* to Brutus, and the *suspected* Brutus moreover did in fact *often take notice of* and highly commend them before this time; which his correspondent Cicero very well knew [b]: so it is probable, that the Sophist, at his leisure, finding that Cicero often *wondered* at his friends, and particularly Brutus, for their *studiously avoiding to take any notice* of the acts of his Consulship [i]; was innocently induced to retouch the same subject, not considering that Cicero's Consulship had been now over for near twenty years. He himself tells us by and by, what acts he was speaking of, and may well be thought to have had the acts of Cicero's Consulship in his mind, when he could make Cicero keep them *constantly* in his mouth to this very day. "What," says Brutus, "if we are not boasting every moment of the *Ides of March*, as *he is* of his *Nones of December*; shall Cicero therefore have a better right to censure our most laudable act, than Be-

[b] Te video delectari *Philippicis* nostris. Ep. Cic. ad Brut. ii. 4. Legi orationes duas tuas, quarum altera Kal. Jan. usus es; altera de *litteris meis*, quae habita est abs te contra Calenum. Nunc scilicet hoc expectas, dum eas laudem. Nescio *animi* an ingenii tui major in his libellis *laus* contineatur. Ep. Brut. ad Cic. ib. 5. Noli expectare dum tibi *gratias* agam. Ib. i. 6. This Brutus writes in answer to Cicero's Letter, which informed him of his hav-

ing strengthened the hands of Brutus and Cassius, and provided for their joint prosecution of the war against Dolabella Ib. Ep. 5.

[i] Ne ignores quid ego in tuis litteris *desiderarim*, scribam aperte. — Res eas gessi, quarum aliquam in tuis litteris — *gratulationem expectavi*. Ep. Fam. v. 7. Hic autem [Brutus] se etiam tribuere multum mihi putat, quod scripserit, *optimum Consulem*. Ep. ad Att. xii. 21.

" *stia*

“*stia* and *Clodius* had to inveigh against his Consulship [*k*].”

AGAIN, *Brutus*, we see, charges *Cicero* with his censuring the most laudable act of killing *Cæsar*; and to shew us, how he is put to it for matter of complaint, “I am at a loss,” says he, “what to write, except this one thing [*l*], that the ambition and licentiousness of the boy have been rather inflamed than repressed by *Cicero*, and that he carries his partiality for him so far, as not to abstain from such reproaches as doubly return upon himself; since *he has killed more than one*, and must confess himself to be an *assassin*, before he can object to *Casca* what he does object to him, and treat *Casca* as *Bestia* once treated *Cicero* [*m*].” Here I observed, first, that the true *Brutus*, in a Letter to the same *Atticus*, did not impute to *Cicero* the act of *killing more than one*, i. e. the accomplices of the *Catilinarian* conspiracy; and that *Cicero* was very angry with *Brutus* for depriving

[*k*] An quia non omnibus horis jactamus Idus Martias, similiter atque ille Nonas Decembres suas in ore habet, eo meliore conditione *Cicero* pulcherrimum factum vituperabit, quam *Bestia* et *Clodius* reprehendere illius Consulatum soliti sunt? Ep. Brut. i. 17.

[*l*] This *one thing* the same *Brutus* objected to *Cicero* some time before, when he was giving an ample approbation of the rest of *Cicero*'s acts. *Alia omnia* sic abunde adsunt, ut cum quolibet antiquorum comparari possint tuæ virtutes. *Unum hoc*

—cautiorem ac moderatiorem liberalitatem desiderat. Ep. Brut. i. 4.

[*m*] Nescio quid scribam tibi, nisi *unum*; pueri et cupiditatem et licentiam potius esse irritatam quam repressam a *Cicerone*; tantumque eum tribuere huic indulgentiae, ut se maledictis non abstineat, iis quidem quae in ipsum dupliciter recidunt, quod et plures occidit uno, seque prius oportet fateatur *ficarium*, quam *objiciat* *Cascae* quod objicit, et *imitatur* in *Casca* *Bestiam*. Ib. Ep. 17.

him

him of that honour, and for not allowing him the inferior office of even *making the discovery*, but only of *giving information of it to the Senate* [n]. But, secondly, I again assert it to be absolutely impossible, that the *true Brutus* should ever accuse *Cicero* of *censuring the act* of killing *Cæsar*, and of *reproaching Casca for it* as an *assassin*. The Vindicator says nothing directly to this main difficulty of all, but refers us partly to his *Life of Cicero*, partly to his notes [o]; in both which places he declares, *that Cicero should ever call Casca a murderer*, to be a *thing impossible and inconsistent with every word that Cicero had been saying, and every act that he had been doing from the time of Cæsar's death*; and, in relation particularly to *Casca*, he says, *that Cicero refused to enter into any measures with Octavius, but upon the express condition of his suffering Casca to take quiet possession of the Tribunate* [p]. *Cicero* moreover had a personal friendship for *Casca*, and publickly applauded the part he acted in killing *Cæsar*, as influenced by his *love of the Republic* [q].

THUS far then we are agreed. Let us hear what account is given of *Brutus's* charging *Cicero* with doing a thing which is so confessedly impossible.

[n] Me autem hic [Brutus] laudat, quod retulerim, non quod patefecerim, quod cohortatus sim, quod denique ante, quam consulerem, ipse judicaverim. Ep. ad Att. xii. 21. Whereas *Clodius* himself allowed *Cicero* the honour of *making the discovery*. Metantum comperisse omnia criminabatur. Ib. i. 14.

[o] Mid. Pref. Diff. p. 47.

[p] Life of Cic. v. ii. p. 487. not. 1. and Ep. of Cic. to Brut. p. 103. not. 3.

[q] Certissimum esse video discrimen *Cascae nostri* tribunatum. Ep. ad Att. xvi. 15. Quid—*Cascae* dicam, an *Ahallas*? Et hos auctoritate mea censes excitatos potius quam caritate *Reipublicae*? Phil. ii. 11. Vide Phil. xiii. 15.

Brutus,

Brutus, it is said, *who was now in Macedonia, had either been misinformed, or was charging Cicero with some consequential meaning of his words, which was never intended by him* [r]. But here the Vindicator did not consider, that the *true Brutus* was as able as either of us to judge, that for *Cicero* to *censure* the act of killing *Cæsar*, and to call *Casca* a murderer, was a *thing impossible*. For can it be imagined, that *Brutus* was less informed of every word that *Cicero* had been saying, and of every act that he had been doing from the time of *Cæsar's* death? *Brutus*, while he continued in *Italy*, was almost an eye-witness of the whole tenor of *Cicero's* actions, and, besides a constant intercourse of Letters, they had many personal conferences from the time of *Cæsar's* death to their last interview at *Velia* [s]: and though he was now in *Macedonia*, yet, if the suspected Letters are true, *Cicero* had expressed himself to him there in the strongest terms; “ that the act of killing
 “ *Cæsar* was a memorable and almost heavenly act;
 “ such as must silence all objections against him,
 “ since no commendation could be adequate to the
 “ merit of it [t].” *Brutus* is moreover intimated in the same Letters to have seen the first *Philippics* [u], in which *Cicero* publicly calls it “ the
 “ greatest and most laudable, an excellent and divine act, which might be done not only with
 “ impunity, but the greatest glory, and which

[r] *Mid. Life of Cic.* v. ii. p. 487. not. 1. *Ep. of Cic.* p. 103. not. 3.

[s] *Pref. Diff.* p. 40, 1.

[t] *Res enim a te gesta memorabilis et paene coelestis repel-*

lit omnes reprehensiones; quippe quae ne laude quidem satis idonea affici possit. *Ep. ad Brut.* ii. 7.

[u] *Ib.* *Ep.* 4.

“ had in fact acquired to the authors of it so much
 “ glory as the heavens could hardly contain [x].”
 Nay, *Brutus* declares an ample approbation of the
tenth Philippic [y], in which *Cicero* mentions “ *M.*
 “ *Brutus*’s divine and immortal praises,” with re-
 gard to the very act of killing *Cæsar*, which,
 “ though it had not yet received the sanction of pu-
 “ blic authority, was retained in the most grateful
 “ memory of every private citizen [z].” — I affirm
 then, that *Brutus* could not, consistently with the
 representation of these Letters, believe any report,
 however *direct* and *express*, of *Cicero*’s censuring the
 act of killing *Cæsar*, and of his calling *Casca* a
murderer; much less was he capable of charging
Cicero with some consequential meaning of his words,
 which was never intended by him.

THE words, with the consequential meaning of
 which *Brutus* might be charging *Cicero*, are sug-
 gested to be perhaps *Cicero*’s advising *Casca* to ma-
 nage *Octavius*, in that height of his power, with
 more temper and moderation; lest he should be pro-
 voked to consider him as an assassin [a]. But here a-
 gain the Vindicator did not consider, that *Atticus*’s
 Letter, to which *Brutus* answers, was written before
Antony’s union with *Lepidus* [b], and did intimate

[x] *Ereſtus* [*Brutus*]—*maxi-
 mi ac pulcherrimi facti ſui con-
 ſcientia*—*Phil. i. 4.*—*Quod
 cum ipſum factum per ſe prae-
 clarum eſt atque divinum, tum
 expoſitum ad imitandum, prae-
 fertim cum illi eam gloriam
 conſecuti ſint, quae vix coelo
 capi poſſe videatur.* *Phil. ii.*
44. vide et 13.

[y] *Ep. Brut. ii. 5.*

[z] *Ac de hac quidem divi-
 na atque immortalī laude M.
 Bruti filebo, quae gratiſſima me-
 moria omnium civium incluſa
 nondum publica auctoritate te-
 ſtata eſt.* *Phil. x. 3.*

[a] *Life of Cic. v. ii. p. 487.*
not. 1. Ep. of Cic. p. 103. not.
3.

[b] *Ep. of Cic. p. 107. not.*
18.

the uncertainty of *Octavius's* affairs with regard to *Antony*, whom *Octavius* is likewise supposed to be pursuing in his flight [c]. At this time *Octavius* was not arrived at such an *height of his power* as might require all that cautious management of him, lest he should be provoked to consider *Casca* as an assassin; nor did the suspected *Cicero* imagine thus early, that *Octavius* was capable of entertaining any thought of that kind; since, even after *Antony's* union with *Lepidus*, he can tell us, that *Octavius* had to that very time maintained his excellent disposition and admirable constancy [d].

IN a word, the Vindicator has nothing left but the unhappy alternative of giving up either the character of *Cicero*, or the genuineness of *Brutus's* Letter to *Atticus*. If we can judge it a thing impossible, that *Cicero* should ever call *Casca* a murderer; *Brutus*, who perfectly knew every thing that *Cicero* had been saying and doing from the time of *Cæsar's* death, must be full proof against every impression to *Cicero's* disadvantage, and therefore could not possibly charge him with it. But if the Letter is genuine, the probability clearly lies on the side, that the charge is true. For as the fact must be looked upon as very possible by the true *Brutus*, who was better informed of *Cicero's* real principles and general conduct, than we can pretend to be at this distance of time; especially if we reflect on the miserable waste, that has been made in *Cicero's* original Letters [e]: so the authority of so great a name is

[c] Quid enim nostra, victum esse Antonium, si victus est, — tametsi tuæ literæ dubia etiam nunc significant. Ep. Brut. i. 17.

[d] Sed Cæsarem meis confi-

liis adhuc gubernatum, præclara ipsum indole, admirabilique constantia—Ep. ad Brut. ib. 10.

[e] *Mid.* Ep. of *Cic.* p. 103. not. 3.

a satisfactory evidence of its being *real*. — The appearances however are much stronger in favour of Cicero's character, than of the *suspected* Letter; and therefore,

VIII. As we admit not of the *information* brought by Brutus against Cicero, because of the utter *incredibility* of the thing objected to him; so, upon the same account, we ought not to admit, that the *true* Brutus could object it upon the *misinformation* of any *direct* report, much less upon any *consequential* meaning of Cicero's words, which words, it is farther certain, Cicero could never speak. We must therefore refer the Letter to some *Sophistic Brutus*, till the anecdotes are produced, *that were the most likely to explain* this charge upon Cicero, and which, in all probability, had actually explained it [f].

ANOTHER historical fact, referred to in the Letter, is, that "Cicero had decreed an Ovation to Octavius, which Cicero likewise, in a Letter to Brutus, asserts to be one of his most prudent acts; but professes himself unwilling to explain the motives of it [g]." The Vindicator however undertakes to explain them; telling us, *that Cicero's view in it seems to have been this, that whenever Octavius should take the benefit of the Ovation, his command would cease of course by his entrance into the city, and his army consequently might be transferred to another General [h].* He kindly

[f] Ep. of Cic. p. 103. not. 3.

[g] Immo triumphus et stipendium decernitur. Ep. Brut. i. 17. Suspicio illud minus tibi probari, — quod, ut ovanti introire Caesari liceret, decre-

verim. Ego autem — nihil mihi videor hoc bello sensisse prudentius. Cur autem ita sit, aperendum non est. Ep. ad Brut. ib. 16.

[h] Mid. Ep. of Cic. p. 162. not. 23.

proceeds to tell us, that though *this had ever been the practice of the Republic*, yet in times of such confusion, neither law nor custom were regarded; and consequently Cicero's view does not seem to have been to take the advantage of a law or custom, which was not in practice or would not be regarded. And as there was not the least occasion for Cicero's concealing this view from Brutus, so the true Cicero had already taken another public method of law and custom to make Octavius's command cease of course, and to transfer his army to another General, without the expedient of decreeing an Ovation to him. For Cicero and the Senate had, without the least ceremony, committed the prosecution of the war against Antony to D. Brutus only, and transferred to him the command of Octavius's two Legions [i]. This instance of Cicero's and the Senate's disposition towards Octavius, in the interval between the victory of Modena and the union of Lepidus with Antony, is a confutation of the general argument of Brutus's Letter to Atticus [k], and almost a demonstration of the falsity of this fact, "that Cicero decreed to Octavius any Ovation at all." It is likewise notorious, that a triumph was decreed to D. Brutus for the victory of Modena, in obtaining which he had not the least share [l]; and as it is impro-

[i] Cum putarem Quartam et Martiam legiones mecum futuras, ut Druso Paulloque placuerat, vobis assentientibus,— Ep. Fam. xi. 19. Appian. De bell. civ. p. 574.

[k] Merces Antonii oppressi poscitur in Antonii locum successio. — Illi [Octavio] pro-

pter amplitudinem omnia jam ultroque deferenda putat [Cicero]. — Eo tendit, — ut sit illi Octavius propitius. — Victus est [Antonius] ut alii [Octavio] vacaret quod ille obtinuit. Ep. Brut. i. 17.

[l] Victus — ab Hirtio et Caesare Antonius. — Adversus C. bable

bable, that a *Triumph* should be decreed to one General and only an *Ovation* to the other, for the very same action; so *Octavius* did not receive from the Senate even the ordinary respects due to his quality and command, after the victory of *Modena* was complete [m]. The Vindicator allows, *that there is no account, in any part of Cicero's writings, but the suspected Letters, of the honours which he decreed after the death of the two Consuls* [n]; and it is certain, that *Octavius*, when he did enter into the city, never took the benefit of this *Ovation*: the only two *Ovations*, which he ever did take the benefit of, being the one after the battle of *Philippi*, the other on occasion of the victory obtained over *S. Pompey* in the *Sicilian* war [o].

THE last instance, in which *Brutus's* Letter to *Atticus* contradicts true history, is, “ that *Brutus* “ had been advised with concerning a propofal of “ marriage, which was offered to *Atticus's* daughter; whereas *Attica*, his only daughter, was “ little more than seven years old at this time, being born when *Cicero* was Proconsul of *Cilicia*; “ whence he congratulated *Atticus* by Letter upon “ that birth [p].” The Vindicator could once

Caesarem—*parum gratus* Senatus fuit, qui *D. Bruto* obsidione Mutinensi a Caesare liberato, honore *triumphi* decreto, *Caesaris* militumque ejus mentionem non satis gratam habuit. Liv. Epit. lib. 119. *D. Bruto, quod alieno beneficio viveret, decretus triumphus*. Paterc. l. 2. c. 62.

[m] *Caesaris* adeo nulla habita mentio, ut legati, qui ad exercitum ejus missi erant, ju-

berentur, *summoto eo*, milites adloqui. Paterc. ib. App. p. 574.

[n] *Mid. Ep. of Cic.* p. 162. not. 21.

[o] *Bis* ovans triumphavi. Monum. Ancy. apud Chishull. Antiq. Asiat. p. 172. *Bis* ovans ingressus est urbem, post *Philippense* et rursus post *Siculum* bellum. Suet in Aug. c. 22.

[p] Vellem mihi scripisses, quae conditiones essent *Atticae*
M 3 clearly

clearly discover in Cicero's Letter to *Atticus* both a birth, and a congratulation upon it [q]; yet now he cannot see the least tittle of either, or the least probability that the words can admit any such interpretation [r]. But whether the words can admit that interpretation or not, they expressly declare, that Cicero at the time of writing them had never seen Attica; whence the conclusion is pretty certain, that she was born only a few months before; and we may farther observe, that in his journey to Cilicia he sends his compliments to *Atticus's* wife *Pilia*, whom he never remembers after this time without the special mention of her daughter *Attica* [s]. To these direct proofs nothing is opposed but an alliance of suppositions, which are every one confuted by the very silence of the Letters to *Atticus*; —

“ that the daughter was now probably four years
 “ old (it is elsewhere confessed, that she could not
 “ be more [t]); — had been nursed all that while
 “ in the country; — for the greater care of her
 “ health; — at a distance from Rome; — whither she

nostrae. Potuisssem aliquid tibi de meo sensu perscribere. Ep. Brut. i. 17. Filiolam tuam tibi jam Romae jucundam esse gaudeo, eamque, quam nunquam vidi, tamen et amo et amabilem esse certo scio. Ep. ad Att. v. 19.

[q] “ *Atticus* had often reproved Cicero for an excess of love to his daughter *Tullia* [or rather was to reprove him for an excess of grief on occasion of her death] yet he no sooner got a little *Attica* of his own, than he be-

gan to discover the same fondness; which gave Cicero occasion to repay his rallery with great politeness. I rejoice, says he, to perceive that you take so much delight in your little girl. I love her already myself, and know her to be amiable, though I have never seen her.” Life of Cic. v. ii. p. 301.
 [r] *Mid. Pref. Diff.* p. 48.
 [s] Ep. ad Att. v. 11. vi. 1, 2, 3, 4, etc.
 [t] *Mid. Ep. of Cic.* p. 109. not. 21.

“ had

“ *had been lately brought for the first time.*”——

This, it is affirmed, was the case, which gave occasion to Cicero’s little compliment; or, otherwise, why should her being at Rome be taken notice of [u]?

I answer, that her being at *Rome* is *not* taken notice of. For, if I may venture to translate *Cicero’s* compliment, after a second attempt of the Translator professed, the sense of it is; “ I rejoice, that
“ your little daughter gives you so much pleasure,
“ now you are still at *Rome.*” *Cicero* is here answering *Atticus’s* Letter just now received, which acquainted him, that *Atticus* was continuing still at *Rome*, but setting out for *Epirus*, where *Cicero* imagines him to be arrived by this time [x]. The character of this hasty *postscript*, for it is nothing else, plainly shews, that *Cicero* is very warm and copious in his compliment; since he does not only acknowledge the joyful news of *Atticus’s* little daughter, but declare, “ that he loved her already, though he had never seen her; and knew
“ for certain, that she was lovely.” I cannot indeed but admire a peculiarity of the Vindicator’s taste, who, when a *professed consolation* is written upon the death of a beloved wife, can contend, that the less which is said must needs be the better [y]; but when the news of the birth of a daughter is to be acknowledged occasionally, and amidst a variety of other concerns, and in a *postscript*, then it is not

[u] *Mid. Pref. Diff. p. 48, 9.* quin——jam in Epirum prof-

[x] *Obfignaram jam episto-* etus sis, etc.——*Filiolam tuam*
lam,——cum subito Appii ta- tibi jam Romae jucundam esse
bellarius——mihî tuas literas red- gaudeo. Ep. ad Att. v. 19.
didit; ex quibus non dubito, [y] *Pref. Diff. p. 101.*

credible, that Cicero, who was at the wedding too, should pay so cold a compliment [z].

I must not however dissemble, that he demonstrably confirms the supposition of Attica's being four years old at this time by another Letter, written from the same province of Cilicia; in which Cicero says, "Your little daughter is very obliging, in giving you so strict a charge to pay her compliments to me;" which cannot, he pretends, be understood of a child, who was but five months old [a]. Now, instead of disputing the merit of this conclusion, which may be better judged of by others, I will oppose to it another Letter, which Cicero writes to Atticus, only a few months before the suspected Brutus had provided a match for Attica. "Give a kiss," says Cicero, "on my account, to Attica, since she is such a merry little creature, which is one of the best signs in children [b]." This, I think, may be sufficient to revindicate our old possession of the birth and congratulation upon it; or, at least, to prove, that Attica was not born before Cicero was Proconsul of Cilicia; till the Vindicator is at leisure to produce his more testimonies, to a better purpose, and from the same Letters [c].

In the next place, he shews a disposition to cavil at "my interpreting, with Manutius, the hint, which Brutus drops concerning certain conditions offered to Atticus's daughter, of the con-

[z] *Mid. Pref. Diff.* p. 48.

[a] *Ib.* p. 49. *Ep. ad Att.*
vi. 1.

[b] *Atticae, quoniam, quod*

optimum in pueris est, hilarula est, meis verbis suavium des.
Ep. ad Att. xvi. 11.

[c] *Pref. Diff.* p. 49.

“ditions of a marriage;” and by an habit of *anglicizing* Cicero’s *Latin*, is willing to interpret it of the conditions of he knows not what [d]. But would not any man of *affairs* interpret the proposal of a *contract* or settlement for a *daughter*, of a *marriage-contract* or settlement? Besides, the word *conditio* or *conditiones* was by custom and the use of law specially and in its propriety attributed to the *terms* of a marriage-proposal or contract [e]. Lastly, the word is used in the same sense by *Nepos*, where he tells us, that the marriage of this very *Attica* with *Agrippa* was brought about by the mediation of *M. Antony*, the *Triumvir*. This most probably happened some time after the beginning of his *second* *Triumvirate*, when a reconciliation had been made between *Augustus* and *Antony*, and *Agrippa* was arrived at the height of his military glory, and become the first Minister and favourite of *Augustus* [f].

[d] *Mid. Pref. Diff.* p. 47.
“I wish you had sent me word
“what are the *conditions* offered to our *Attica*.” *Ep. of Cic.* p. 103.

[e] *Filiam ejus—ejecisti alia conditione quæsitâ.* *Phil.* ii. 38. *Conditio proprie* dicebatur matrimonium, a tabulis nuptialibus, in quibus conveniebant de futuro conjugio parentes aut necessarii sponsi sponsæve. *Graev.* in loc. ubi plura. In sponsalibus constituendis—plerumque *conditiones* interpositis personis expediuntur. *Ulpian.* *Dig.* l. 23. tit. 1. l. 18.

[f] —Effecit, ut *M. Vipsanius Agrippa*,—cum propter suam gratiam et *Caesaris potentiam nullius conditionis non haberet potestatem*, potissimum ejus diligeret affinitatem, præoptaretque equitis *R.* filiam generosarum nuptiis; atque harum nuptiarum conciliator fuit—*M. Antonius*, *Triumvir Reip.* constituendæ. *Nep. vit. Att. Ap- pian.* *De bell. civ.* p. 709. *M. Agrippam* ignobilem loco, bonum militia et *victoriæ socium* geminatis *Consulatibus* extulit. *Tacit. Annal.* l. 1. c. 3.

BUT

BUT the Vindicator must needs display his skill in the *law* as well as the *language* of the Civilians, and, to bear up a sinking hypothesis, contend, that *if this hint relates to any proposal of marriage, it could mean nothing more, than that some party had been offered, in order to take effect when Attica should be thought ripe for the married state* [g]. It certainly *does* mean more, that *Atticus* had consulted *Brutus*, whether he should *accept* the party that was offered; and it will be found difficult to prove, that a contract of marriage either *could*, in the course of law, or *would* be made by *Atticus*, when it was not possible for it to take effect, till after an interval of more than *four years* [b]. In the course of law, the interval between the *espousals* and the *marriage* might be of *one* or *more* years, upon the allegation of just and *emergent* causes, of the *sickness* of the parties, the *death* of their parents, the commission of a capital crime, or a journey into *foreign* parts undertaken upon *necessary* occasions [i]. But let the Vindicator prove, that *Atticus*, no less the picture of antient discipline and simplicity in his life, than a curious observer of antiquities in his studies, would *deliberately* promote an espousal of his daughter, *in order to take effect* after so long an interval; when such licentiousness was introduced many years after, that the privileges of *Augustus's* law for the encouragement of marriage might be obtained by *premature* espousals; and put that Emperor to the expence of a new law for reducing the interval

[g] *Mid. Ep. of Cic. p. 109.*
not. 21.

9. et Pomp. tit. 2. l. 4. Dion.
Hist. Rom. p. 532.

[b] Ulp. Dig. l. 23. tit. 1. l.

[i] Caius, Dig. ib. tit. 1. l. 17.

between

between espousals and marriage to the space of *two years* [k]. I must then still insist, against the united forces of the numerous suppositions and exceptions alledged to the contrary,

IX. THAT *Attica* was born when *Cicero* was Proconsul of *Cilicia*; that *Brutus's* Letter supposes *Atticus* to have consulted him about his *accepting* a proposal of *marriage* for her, to take effect a little time after; and that therefore *Brutus* is out in his chronology, because he thinks her *marriageable* when she was little more than *seven years* old.

I pass on to *Brutus's* other famous Letter, the Letter to *Cicero*; in which because I observed nothing contrary to true *history*, there being hardly any thing *historical* in it; the Vindicator in triumph says, that *since I can neither find, nor invent an objection to it, we must necessarily claim it as genuine, whatever may become of the rest* [l]. But he forgets the declaration which he made at setting out, *that if I can prove any one of the Letters to be forged, he shall make very little difficulty to give up the rest* [m]. He forgets too, that I found objections of another kind to this very Letter, and particularly attempted to prove, “that some Sophist, happening to “read the *true* sentiments of *Brutus* in *Plutarch*, “took the hint to forge it upon that plan.” Let us now see, whether objections against it may not be found, partly from its *want* of history, partly from that little matter of history which it *has*.

[k] Cumque etiam immaturitate sponſarum — vim legis eludi ſentiret, tempus ſponſas habendi coarctavit. Suet. in Aug. c. 34. — Δυσὶν ἑτοῖν διελθόντων — Dion. Hist. Rom. ib.
[l] Mid. Pref. Diss. p. 50.
[m] Ib. p. 12.

IN the first place, *Brutus* betrays, in the very beginning of his long Letter, a consciousness of its *historical poverty*; and tells *Cicero* with a scrupulous diligence, “that he is answering only a *little scrip* or part of his Letter to *Octavius*, which was “transmitted to him by *Atticus* [n].” Here I ask, if *Cicero*’s Letter to *Octavius* was written in strong and pathetic terms to dissuade him from the measures, which he seemed to be entering into, to oppress the Republic, and to revenge his Uncle’s death [o]; why *Atticus*, who so highly approved it, and doubted not, but that *Brutus* would be pleased with it too, did not send *Brutus* a copy of the whole Letter, but a part of it, which gave occasion to the present expostulation from him? It must necessarily be said, either that there were some things in the Letter which *Atticus* did not approve, and doubted whether *Brutus* would be pleased with them; or, if we will save *Cicero*’s character at all events, that the sending a part of the Letter was rather the fiction of a Sophist than the result of the genuine acts and affairs of real life. Is it consistent with the known intimacy of these three great men, to conceal from one another parts of their Letters, which were written upon the most public and interesting occasions? Or would not *Brutus*’s suspicious and querulous temper be apt to take the alarm, in a case especially where his own safety was immediately concerned? Nay, can the Vindicator reconcile this

[n] *Particulam* literarum tuarum, quas misisti Octavio, legi, missam ab Attico mihi.—Eadem illa pars epistolae scriptae

ad Octavium—Ep. Brut. i. 16.

[o] *Mid. Ep. of Cic. p. 180. not. 1.*

instance

instance of reserve with the *Classical simplicity* and practice of these times in general? or can he match it, by the help of all the study, which he would appear to have made, of *Cicero's genuine Epistles*?

IN the next place, the *part* of the Letter, which *Atticus* had sent to *Brutus*, and which gave occasion to the present *expostulation* from him, was “ *Cicero's* “ supplication to *Octavius*, that he would allow “ those citizens to live in safety, who had the good “ wishes of all honest men and of the people of “ Rome [*p*].” Upon this plan *Brutus's* whole Letter is formed; nor is there hardly a single sentiment in it, which is not directed to this one point. Here again I ask, in what period of time such a plan of affairs could possibly take place, consistently with the express declarations of the Letter itself? The *Vindicator*, as if he was aware of the difficulty, has marked out, in different parts of his work, two precise times, when *Brutus* first conceived his apprehensions of *Octavius's* power, and began consequently to expostulate with *Cicero*, by whose help he had been advanced to it. One of these precise times is, when he received the news of the change of their affairs at Rome, where young *Octavius* was become formidable, laid claim to the *Consulship*, and kept about him great armies, which the city did not want [*q*]. This time I acknowledge to be precisely adapted to the matter of *Cicero's* supplication, *Octavius* having become sufficiently formidable, when he laid claim

[*p*] Tam suppliciter ac demisse — commendas nostram salutem illi. — *Verba tua* recognosce. — Unum ais esse, quod ab eo postuletur et expe-

ctetur, “ ut eos cives, de quibus viri boni populusque Romanus bene existimet, salvos velit.” Ep. Brut. i. 16.

[*q*] *Mid. Pref. Diff.* p. 45.

to the Consulship, the first measures of which were to oppress the Republic, and to revenge his Uncle's death [r]. Cicero however was at the same time very ill qualified to be a supPLICATOR for others, since there was greater need of his supplicating for himself to Octavius, whose complaints were personally directed against Cicero [s]. But the Vindicator, when he comments upon Brutus's Letter, finds another precise time for Cicero's supplication, namely, soon after the victory of Modena [t]; and the Letter itself plainly supposes, that Octavius was still carrying on the war against Antony, who was flying with his shattered forces from Modena [u]; and that Antony, on the other hand, was dreaded by Cicero, only because he was alive and continued in arms [x]. The Letter likewise, though it intimates

[r] Appian. De bell. civ. p. 586.

[s] Hoc est illud tempus, quo Cicero, insito amore Pompeianarum partium, Caesarem laudandum et tollendum censebat; cum aliud diceret, aliud intelligi vellet. Paterc. l. 2. c. 62. Ut cognovit, Antonium post fugam a M. Lepido receptum, — causam optimatum sine cunctatione deferuit, ad prae-textum mutatae voluntatis dicta factaque quorundam calumniatus; quasi—alii ornandum tollendumque jactassent. Suet. in Aug. c. 12. Conf. Plut. in Ant. p. 923. Dr. Mid. thinks it incredible, that a man of Cicero's prudence could ever say the words mentioned by Paterculus and Suetonius. "If he had harboured," says he,

"such a thought, or had been tempted on any occasion to throw out such a hint, we might have expected to find it in his Letters to Brutus; yet on the contrary he speaks always of Octavius in terms highly advantageous, even where he was likely to give disgust by it." Life of Cic. v. ii. p. 460.

[t] Mid. Ep. of Cic. p. 180. not. 1.

[u] Si Octavius ullis dignus sit honoribus, quia cum Antonio bellum gerat; iis, qui illud malum exciderint, cujus istae reliquiae sunt, etc. Ep. Brut. i. 16.

[x] At vide, quanto diligentius homines metuant, — quia Antonius vivat atque in armis sit. Ib.

a suspicion, that the name of *Cæsar* might be prompting *Octavius* to revenge his Uncle's death; yet expressly acknowledges, that he had yet done nothing but what *Cicero* commended, and *Brutus* himself pronounces highly laudable [y]. *Octavius* therefore had not yet laid claim to the Consulship, nor entered into any measures to oppress the Republic and revenge his Uncle's death; and the precise time, in which the plan of *Brutus*'s Letter must be placed, was not only before *Octavius*'s demand of the Consulship, but even before the union of *Lepidus* with *Antony* [z]. Now I utterly deny, that from the victory of *Modena* to this very period, there can be room for *Cicero*'s supplication to *Octavius*, "that he would allow those citizens to live in safety, who had the good wishes of all honest men and of the people of *Rome*." For whatever may be thought of the disposition of *Octavius* in this interval, which, *Brutus* allows, had not declared itself by any overt-act; the Vindicator himself allows, that *Cicero* imagined, they were freed, by the victory of *Modena*, from all farther danger in Italy; but their apprehensions were renewed by *Antony*'s union with *Lepidus* [a]; and that *Brutus* too, by

[y] Hic ipse puer, quem Cæsaris nomen incitare videtur in Cæsaris interfectores, — Quem quod laudas ob ea, quae adhuc fecit, plane proba: sunt enim laudanda. Ep. Brut. i. 16.

[z] "Octavius waited to see what became of *Antony*; till finding him received and supported by *Lepidus*, he began to think it his best scheme, to enter into the

"league with them, and to concur in the design of revenging the death of his Uncle. Instead therefore of prosecuting the war any farther, he was persuaded by his friends to make a demand of the Consulship." Life of Cic. v. ii. p. 455.

[a] Ep. of Cic. p. 69. not 5.

Antony's defeat and flight out of Italy, seems to have thought the war at an end [b]. But should he be found to talk differently, as the occasion of any particular Letter may require; it is easy to shew from the concurring accounts of the old Historians, that there is not a point in all that interval, when *Octavius's* power would admit the suggestion, "that it depended on his pleasure, whether the Republics should be in safety or not." He was then so far from being formidable at Rome, that the Senate expressed a contempt of him in its decrees; and both Senate and people were unanimous in the opinion, that the war must be at an end, if *Antony* should not be received by *Lepidus*. This very event gave occasion to their courting him again; when, some say, he so well dissembled his resentment of former indignities, that he still affected a dependence on the Senate, and actually received the command of the war against the united Generals [c]. However this be, undoubted History will make good this assertion, "that *Brutus's* Letter joins together distant times and incompatible affairs; the supposition of so formidable a power in *Octavius*, as made him dreaded by the accomplices of *Cæsar's* murder, and supplicated to for mercy; which was not till a considerable time after the union of *Lepidus* with *Antony*: and the extreme distress of *Antony*, while he was flying from *Modena*, and the allowed unexceptionableness of *Octavius's* conduct; which were before that union."

[b] Ep. of *Cic.* p. 78. not. 3. [c] *Dion. Hist. Rom.* p. 319.

I proceed to the *historical* consideration of *Cicero's* celebrated Letter, or apology for himself in answer to *Brutus* [d]; but must observe, that, though the Vindicator declares it *ridiculous* to imagine, that *one end* of the Sophist's forging these Letters might possibly be, to *vindicate Cicero's character* [e]; yet as few *scattered Letters* as there are, no less than *three* of them consist of a *formal vindication* of *Cicero's character* [f]; besides all the *occasional* vindications, which are *scattered* through the rest. But this *apologetical* recrimination upon *Brutus*, which concludes the head of vindication, *was written*, it seems, *about the end of July*, and answers to *one charge* in a Letter of *Brutus*, dated *May 15th*, *after a long interval*, as the Letter-writer calls it, *of above two months* [g]. Now if, to avoid greater inconveniencies, we must persist, that the answer to the charge was reserved for *above two months* after it was brought by *Brutus*; notwithstanding the many opportunities, in the course of these Letters, of making it *in the mean time*: then I assert, that it was reserved out of *Sophistic contrivance*, to create an occasion of running a fine parallel between *two charges* against *Cicero*, of "his being too free and "even prodigal in conferring honours," and of "his being too severe in punishing." This indeed is the very truth of the case; for there are plain traces of an extraordinary management in the

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|------------------------------|--------------------------------|
| [d] Ep. ad Brut. i. 15. | not. 2. Venio nunc, longo sane |
| [e] Mid. Pref. Diff. p. 17. | intervallo, ad quandam episto- |
| [f] Ep. ad Brut. i. 10, 15. | lam, qua mihi multa tribuens |
| ii. 7. | unum reprehendebas, etc. Ep. |
| [g] Mid. Ep. of Cic. p. 159. | ad Brut i. 15. Conf. Ep. 4. |

Sophist, to promote a coincidence of these opposite qualities in *Cicero's* administration. He *delayed* for *above two months* the answer to *Brutus's* charge of "*Cicero's* prodigality in conferring honours;" and he now *anticipates*, as he expressly tells us, *Brutus's* charge of "*Cicero's* severity in punishing." "You charged me," says *Cicero* to *Brutus*, "with being too free and even prodigal in conferring honours; other people *probably* with being too severe in punishing; or you yourself *perhaps* with both. If so, I desire that my judgment on each head may be fully known to you [*b*]. Thus having formed an *artificial* composition of affairs, by collecting past and future into an *unity* of time; he draws the grand *moral* of the Fable, which is,

1. "THAT the public-weal is comprized in two things, *Rewards* and *Punishments* [*i*]." — But it not being his design to discuss so great a point speculatively and in general; he exemplifies the doctrine,

2^{dly}, "IN the case of *Rewards*;" with an application to his measures and votes in the Senate from the beginning of the war [*k*]. — Then, "I have said enough," says he, "of *Honours*;" and must

3^{dly}, "SAY a word or two of *Punishments* [*l*]."

[*b*] Unum reprehendebas, quod in honoribus decernendis esset nimis et tanquam prodigus. Tu hoc: alius fortasse, quod in animadversione poenae durior; nisi fortasse utrumque tu. Quod si ita est, utriusque rei meum iudicium tibi cupio esse notissimum. Ep. ad Brut. i. 15.

[*i*] Is Remp. duabus rebus contineri dixit, *praemio* et *poena*. Ib.

[*k*] Sed non tanta de re propositum est hoc loco disputare. Quid ego autem secutus hoc bello sim in sententiis dicendis, aperire non alienum puto. Ib.

[*l*] Satis multa de honoribus. Nunc de poena pauca sunt di-

Here

Here he takes the benefit of a double application to the cases in contrast, of *Cicero's* severity in his decrees against *Lepidus*, and of *Brutus's* lenity in his treatment of *C. Antony*. Hence he concludes,

Lastly, “ You have now the grounds of my opinions, as far as they relate to the cases of Rewards and Punishments [m].”

I now appeal to the Reader, whether this management does not seem to proceed rather from Scholastic meditation, than the genuine acts and affairs of real life ; or whether the Translator or I have succeeded better in laying open the deep design of this celebrated *Letter* or *apology* for *Cicero* ; which seems to receive no little advantage from this short analysis of its *dramatic* constitution.

To come to particulars : The Sophist begins his long Letter with exposing the *impertinence* of it. It consists partly of a laboured and superlative character of *Messalla*, the bearer ; and partly of that display of political wisdom, which we have already seen. As to *politics* ; “ How is it possible,” says he, “ for me to explain *more accurately* by Letter, though ever so *diligently* drawn, the nature of our public transactions, and the present state of the Republic ; than you will have them explained by him, who knows them all *most perfectly*, and can describe and relate them with the *greatest elegance* ?” — Then as to the *character* ; he begins it with telling *Brutus*, “ that there is no occasion to write of what he *himself already knew*, the excellence of all good qualities in *Messalla* ;” and he

cenda. Ep. ad Brut. i. 15. duntaxat honoris et poenae.

[m] Habes rationem mearum Ib.

sententiarum, de hoc genere

ends it with telling him, “ that he had no set design to praise *Messalla*, especially to *Brutus*, who “ was *as well acquainted* with his good qualities, “ and a better judge of his *oratorical accomplishments* [n].” I here observed, that the most distinguishing part of *Messalla*’s Oratorical character, of which *Brutus* is the *better judge*, is, “ that in “ his eloquence, which is wonderfully excellent, “ his prudence is still more conspicuous; since he “ had formed himself with severe judgment and “ much art to *the best manner of Speaking* [o].” whereas there had been an eminent and sharp controversy, as was before related, between the *true Cicero* and *Brutus*, concerning the character of perfect Eloquence, or the best manner of Speaking. The Vindicator, in answer to this, would make the *true Brutus* full as complaisant as the *suspected Cicero*; and, taking it for granted that *Messalla* studied the manner of speaking that *Cicero* recommended, asserts for a certainty, that *Brutus* allowed *Cicero* to be the best Speaker of his age. In proof of this he alledges, that it was at *Brutus*’s desire, and for his information, that *Cicero* drew up those Oratorical pieces, in which he illustrates his own idea of the most perfect way of Speaking [p]. But here the *English* Reader is not presented with the whole case, which was laid before the *Latin* one: “ that *Bru-*

[n] Quanquam non est necesse ea me ad te, quae tibi nota sunt, scribere.—Cui et virtus illius non minus, quam mihi, nota est, et haec ipsa studia, quae laudo, notiora. Ep. ad Brut. i. 15.

[o] —Quanquam in hac ipsa [eloquentia, qua mirabiliter excellit] sapientia plus apparet. Ita gravi iudicio multaque arte se exercuit in verissimo genere dicendi. Ib.

[p] *Mid. Pref. Diff.* p. 51, 2.

“ *tus*, after a due examination of *those very Orato-*
“ *rial pieces, drawn up at his own desire*, declared
“ in his Letters both to *Cicero* and *Atticus*, that
“ they gave him *no information* in the point in
“ question; and that he could not approve of *Cice-*
“ *ro's idea of the most perfect way of Speaking* [q].”
It is farther urged, that if I imagine, that *Brutus*
would have been affronted by *Cicero's* mention of the
best manner, because they had each a different idea of
it, or that he would have thought the worse of *Mes-*
salla, for studying that manner which *Cicero* recom-
mended; I judge very weakly of those great men.
And I must tell the *Vindicator*, that he disputes
more weakly, in mistaking the true state of the que-
stion. *Brutus* would not have thought worse of the
excellence of all good qualities in *Messalla*, for his stu-
dying that manner of speaking that *Cicero* recom-
mended; nor would he have been affronted with
Cicero's mention of it: but I still do assert, and re-
quire him to answer directly to the assertion;

X. THAT as the true *Cicero* could not recom-
mend the *manner of speaking* as the best, which *Bru-*
tus approved, so none but a Sophist, in an elabo-
rate recommendation of *Messalla's* eloquence to *Bru-*
tus, would exemplify his conspicuous prudence and
severe judgment in studying a manner of speaking,
which *Brutus* disapproved.

I farther observed, “ that *Cicero's* apologetical
“ Letter seems to copy a mistake from *Plutarch*
“ and *Appian*, in supposing *M. Brutus* to have
“ been the author of saving *M. Antony's* life, when

[q] Ep. ad C. Middlet. p. 204, 5. Ep. ad Att. xiv. 20.

“ *Cæsar* was killed ; whereas *Decimus Brutus* was
 “ the sole adviser of that step [r].” As I expressly
 declared, that this *error of the old Historians* was al-
 ready *corrected* to my hands ; the Vindicator might
 have spared his invidious reflection, that I would
 seem to *perform an extraordinary exploit in correcting*
 it [s] : especially since in the same place I permit-
 ted him to retain the honour of *performing* a like ex-
 traordinary *exploit*, in *correcting* the *error*, not indeed
 very *commonly* entertained, “ that of *the two Brutus’s*
 “ it was *Marcus*, not *Decimus*, who was the favour-
 “ ite of *Cæsar*, and whose part in the conspiracy
 “ surprized people the most [t].” This instance
 may shew, that of *the two Brutus’s* the one may be
 easily mistaken by Historians for the other ; nor
 will the Vindicator’s next reflection do him any
 credit ; that *after I had been fighting so strenuously*
for Plutarch’s authority, yet now I treat it as a
mere ignis fatuus, that serves only to lead people out
 of the way [u]. As if I might not, with the inge-
 nious *M. Secousse*, take notice of one mistake of
Plutarch, which seemed to be derived from the equivocal
 sense of the Latin proper name ; or as if the Vin-
 dicator does not *fight strenuously for Plutarch’s au-*
thority, when he has occasion for it ; and treat *M.*
Mongault, whom I cited in confirmation of my o-
 pinion, as a *mere ignis fatuus*, that serves only to
 lead people out of the way : and therefore surely, in

[r] Vide Ep. ad C. Middlet. p. 205, 6.

[s] Mid. Pref. Diff. p. 52.
 He afterwards calls this *exploit*
 a great attempt to correct the

false tradition of antiquity. P. 64.

[t] Life of Cic. v. ii. p. 240.

[u] Pref. Diff. p. 53.

the next edition of his *Life of Cicero*, he will forget to do justice to the pains of that true Critic, who, by an excellent translation and judicious comment upon the Epistles to Atticus, has made their use more obvious and accessible to all [x].

HE allows me to have proved, from two passages of the Letters to *Atticus*, “ that the blame of “ saving *Antony* must certainly rest upon one of the “ *Brutus’s* only [y];” and he may acknowledge my civility, in passing over his mistake, into which he was probably led by this very suspected Letter, “ that when *Cassius*, with a majority of the company, was warmly for killing *Antony*; the two *Brutus’s* as warmly opposed and finally overruled “ it [z].” The former of the passages was produced from a Letter, where *Cicero* is expressing his apprehensions from *L. Antony’s* soldiers, and complaining of his own intolerable condition says; “ A “ certain *Brutus* was the cause of all this [a].” Now if it is true, that when *Cicero*, in his Letters to *Atticus*, mentions *Brutus* absolutely, he always means *Marcus*; when he mentions *Brutus* with the specific notation of a certain *Brutus*, he must necessarily mean *Decimus*. — The other passage was taken from a Letter, written nearly at the same time, where *Cicero*, complaining again of *Antony’s* avowed design against his life, and declaring his own determined purpose to set sail immediately for *Greece*, in prospect of ending his days by a more easy fate, says; “ The

[x] *Life of Cicero*, Pref. p. xxx. — Quid ego praetermissum a vobis, etc. Ep. ad Brut. i. 15.

[y] *Mid. Pref. Diss.* p. 53.

[a] τῶν δ' ἁπλῶς τῶν Βρυτῶν

[z] *Life of Cic.* v. ii. p. 234.

τῆς αἰχμῆς. Ep. ad Att. xv. 12.

“ whole blame of this belongs to *Brutus* [b].” Here the Vindicator thinks it *manifest*, that *Cicero* could not mean any body but *Marcus*; for within a line or two after, speaking still of the same *Brutus*, he declares him to be leaving Italy quickly [c]. But though *Cicero* mentions a *Brutus* by name, as leaving Italy, within a line or two after; yet it is no less manifest, that he mentions him in a different Letter, which answers to one received from *Atticus* since his writing the Letter, in which he blamed *Brutus* [d]. *Atticus*’s Letter informed him, that *S. Pompey*, who was still in arms, and kept together considerable forces, was received at *Cartheia* in Spain. This information caused *Cicero* to enter into a new deliberation concerning the measures he should take, with regard to the two contending Generals, *Pompey* and *Antony*. The result is, that he should hasten his embarkation, because the neutrality, which he observed in the late civil war, was now become impracticable. He determines, however, to settle his private affairs, the ill state of which was represented by *Atticus*; and here says of *Antony* only, that *though he trembled at a shadow*, yet he seemed to have sanguinary intentions; whereas, before, he was *all despair*, and persuaded of *Antony*’s avowed designs against his life.

BUT the Vindicator’s catholic rule is most extraordinary, viz. *Wherever Cicero, in his Letters to Atticus, mentions Brutus absolutely, or without a prænomen, we may take it for granted, that he means*

[b] Haec omnis culpa Brutus. Ep. ad Att. xv. 20.

[c] *Mid. Pref./Diff.* p. 54.

[d] Pompeium Cartheiae re-

ceptum scribis: jam igitur contra hunc exercitum. Utra igitur castra? Ib. Conf. Ep. xiv. 13. xv. 22. xvi. 4.

Marcus;

Marcus; except where Decimus is so marked out by the context, that we cannot possibly mistake him [e]. For did he think, that Cicero wrote his Letters to Atticus, that either he might translate them, or I dispute the merits of his translations? or could he imagine, that wherever Cicero mentioned Brutus, as the author of saving Antony, Brutus would not be so marked out by the context, that Atticus could not possibly mistake him? I assert therefore, on the contrary, that wherever Cicero mentioned a Brutus, as the author of saving Antony, we might take it for granted, that he would not add the prænomen of Decimus; because Atticus must know as well as Cicero, whether of the two Brutus's was always meant. Thus Cicero, in his eleventh Philippic, frequently mentions Brutus without a prænomen, when he means Decimus, and sometimes when he means Marcus; but it is always known, whether of the Brutus's is meant; the one being distinguished by his relation to the Italian, the other by his relation to the Macedonian affairs. On the same account, Cicero, in a Letter to Octavius, mentions Brutus without a prænomen, and yet means Decimus, when he says; "The soldiers might have joined the Consuls, or you, or Brutus, and not incurred the penalty of being in Antony's camp [f]." Nay Cicero, in the Letters to Atticus, mentions Brutus in the same manner; and yet the Vindicator himself, who believes there is not

[e] Mid. Pref. Diff. p. 54.

[f] Et aut ad Consules, aut ad te, aut ad Brutum adissent, his fraudi ne esset, quod cum Antonio fuissent. Non. in voc. Aditus.

a single instance of it in these Letters [g], will be glad to acknowledge, that none but *Decimus* must be meant. For in a Letter, which is written about the middle of *October* and gives an account of *Octavius's* prospects; "He has got together," says *Cicero*, "great forces; he may be joined by *Brutus*; " he professes himself a General, and makes re-
" views at *Capua* [h]." Now it is not clear, from the bare context, that *Decimus* is here meant; but it is sufficiently clear from *Decimus's* circumstances at that time; and it ought to be very clear to one, who so strenuously maintains, that *Marcus Brutus* had left *Italy* near two months before.

FROM the name of *Brutus* the Vindicator passes on to the matter of his saving *M. Antony's* life. If we reflect, says he, on the different characters of the two *Brutus's*, we should be apt to conclude at once that it must needs be *Marcus* [i], who could be the author of that measure. Now he himself could once represent it as a strange inconsistency in the character of *Marcus*, that, to restore the liberty of his country, he killed his Friend and Benefactor, and declares, that for the same cause he would have killed even his Father: yet he would not take *Antony's* life, though it was a necessary sacrifice to the same cause [k]. *M. Mongault*, on the other hand, draws from the character of *Decimus* a very strong probability of his being inclined to save *Antony*, "because he had served
" with him a long time under *Cæsar* [l]." This

[g] *Mid. Pref. Diff. p. 54.*[i] *Pref. Diff. p. 54.*[h] *Firmas copias habet :
Brutum habere potest, etc. Ep.
ad Att. xvi. 9.*[k] *Life of Cic. v. ii. p. 472.*[l] *Vide Mong. in Ep. ad
Att. xv. 11. not. 5.*

probability will be still stronger, when we observe, that as *C. Trebonius*, who had likewise served with *Antony* under *Cæsar*, did the friendly office of taking him aside, lest by any mischance he should be killed together with *Cæsar* in the Senate [m]; so it is most likely, that *Decimus* had done the other friendly office of prevailing with the Conspirators, that he might be spared. *Trebonius* and *Decimus* are mentioned together by the Historians for their being jointly engaged in military expeditions, and distinguished by *Cæsar*'s intimacy and promotions above the rest of the conspirators [n]; and when the consultation was held, whether *Antony* should be invited to bear a part in the conspiracy, *Trebonius* opposed it; alledging, "that he distantly sounded *Antony* upon that subject, when they went together in great intimacy to meet *Cæsar* on his return from *Spain* [o]." The merit of *Antony*'s fidelity, in not giving information against *Trebonius*, was likewise alledged in the debate about saving *Antony*, and most probably by *Decimus*, who had been privy to the intimate concerns of them both; and the other, public, reason for sparing *Antony* more

[m] Quanquam si interfici Cæsarem voluisse crimen est, vide, quaeso, Antoni, quid tibi futurum sit, quem et *Narbone* hoc consilium cum *C. Trebonio* cepisse notissimum est, et ob ejus consilii societatem, cum interficeretur *Cæsar*, tum te a *Trebonio* vidimus servocari. Phil. ii. 14. xiii. 10. Ep. Fam. x. 28.

[n] Quibus effectis [navibus] —adductisque *Massiliam*, his

D. Brutum praefecit; *C. Trebonium* legatum ad oppugnationem *Massiliae* reliquit. Caes. Comm. De bell. civ. l. 1. c. 36. —Adjectis etiam consiliariis caedis familiarissimis omnium, et fortuna partium ejus in summum evectis fastigium, *Decimo Bruto* et *Caio Trebonio*. Paterc. l. 2. c. 56.

[o] Plut. in Ant. p. 921. Vide supra Phil. ii. 14.

properly

properly came from *Decimus*, so noted a *Cæsarean*; “that the act of killing *Cæsar* might appear to be “an act of Patriotism, not of Party.” It is strange that none of these circumstances should occur to the Vindicator, when he considered the *different characters of the* two Brutus’s; and that he should conclude at once, that it must needs be *Marcus*, whose authority was able to bring over *Cassius* and sixty more brave men to his opinion [p]. But this single circumstance of their *Characters*, which he mentions, makes no less directly against him, than the many which he passes over in silence. For *Decimus’s* authority at this time happened to be able to do more than that of all the conspirators together; since he kept, at his own expence, a *numerous band of Gladiators*, who were to be posted about the Senate-house, for the protection of the Conspirators, and, if occasion required, for the very execution of the fact.

To proceed to historical testimonies: The Vindicator asserts, — that *Paterculus*, a better author than both *Plutarch* and *Appian*, had long before affirmed the same thing, that they do, of *Marcus*; — that *M. Mongault* had declared himself of the contrary opinion, but upon the mistaken authority of *Paterculus*; — and that I, in all probability, must have seen that mistake, yet thought fit to dissemble it [q]. Now I rather chuse to prove to our Professor of politeness, that *M. Mongault* did not mistake *Paterculus*, than to tell him in return, that, in all probability, he must have seen it, yet thought fit to pre-

[p] *Mid. Pref. Diss.* p. 54.[q] *Ib.* p. 54, 5. 64. not. 1.

tend a *mistake*. *Paterculus* introduces his relation with observing by way of *Annal*, " that the year " in which the fact of killing *Cæsar* was done, *M. Brutus* and *C. Cassius* were Prætors; *D. Brutus* " one of the Consuls elect. These," continues he, " with the rest of the Conspirators, being guard- " ed by *D. Brutus's* band of *Gladiators*, betook " themselves to the Capitol; when *Antony* the " Consul (whom when *Cassius* was for killing and " for annulling *Cæsar's* will, *Brutus* opposed) sent " propositions of peace [*r*]." Here we may observe, that the *Brutus*, without a prænomen, must be referred to the *D. Brutus*, who was specially mentioned as an *Actor*, in the relation of what was done *after* the fact of killing *Cæsar*; not to the *M. Brutus*, who was not specially mentioned, as an *Actor*, in that relation; but as a *Magistrate* in the *date* of the year in which the fact was done. Secondly, the *Brutus* mentioned in the parenthesis must in propriety of writing be intended of the *D.*

[*r*] Quo anno id patravere facinus, [*M.*] Brutus et C. Cassius Praetores erant; D. Brutus Consul designatus: Hi una cum conjurationis globo, stipati gladiatorum D. Bruti manu, Capitolium occupavere, cum Cos. Antonius (quem cum simul interimendum censuisset Cassius, testamentumque Caesaris abolendum, Brutus repugnauerat, —) — velut pacis auctor, liberos suos obsides in Capitolium misit. *Paterc.* l. 2. c. 58. *Nic. Heinsius's* note upon this place is, " Rectius fit, *M. Brutus* et " *C. Cassius* Praetores erant,"

which is more agreeable to *Paterculus's* manner. So, c. 62. *Bruto Cassioque* provinciae — decretae. — *Marcus* Brutus et *Gaius* Cassius — c. 69. *C. Cassius* — *Dolabellam* — interfecerat: — et *M. Brutus* — legiones extorferat. — *Cassius* *Rhodium* — ceperat; *Brutus* *Lycios* devicerat. The prænomen likewise of *Brutus* would hardly be omitted by *Paterculus* in the *date* of the time, when *Cæsar* was killed, and in *distinguishing* the names and quality of those who were the principal accomplices.

Brutus

Brutus, who immediately preceded it. The relation in short is, “ that the Conspirators seized the “ Capitol, being guarded with the Gladiators of “ *D. Brutus*, when *Antony* (whom *Cassius* would “ have killed, but *Brutus* opposed) sent propo- “ tions of peace.” Thirdly, a good Writer, if he intended *Decimus*, would hardly put the *characteristic* prænomen to *Brutus*, when he twice mentioned *D. Brutus* since any mention was made of *M. Brutus*. There is in the Letters to *Atticus* an instance nearly similar to the case in hand, where *Cicero*, upon receiving *Atticus*’s news of *D. Brutus* being arrived at his Legions, proposes several ways of conducting himself in the present conjuncture, and at last; “ It remains,” says he, “ that I should “ betake myself to the camp of *Sextus*, or perhaps “ of *Brutus* [s].” Here *Decimus*, who was distinguished with the prænomen just before, is most naturally understood; and *Manutius* observes, that *Marcus* could not be meant, because he had not formed any camp at this time [t]. Lastly, there was no need, that *Paterculus* should put the prænomen to *Brutus*, if he had meant *Decimus*, since he wrote so long before *Plutarch* and *Appian*, that few would then be ignorant whether of the *Brutus*’s was meant; and *Decimus* is so marked out by the context, that we cannot possibly mistake him. For *Cassius*’s purpose is said to have been both to kill

[s] Quamvis — mihi jucunda scripseris de *D. Bruti* adventu ad suas legiones; — Restat, ut in castra *Sexti*, aut, si forte, *Bruti* nos conferamus. Ep. ad Att. xiv. 13.

[t] De *M. Bruto* non est ut accipi possit, cui nullae erant copiae, circa *Lanuvium* aut *Antium* privato comitatu versanti. *Manut.* in loc.

Antony and to set aside *Cæsar's will*; and therefore the *Brutus*, who opposed these measures, is naturally understood to be *Decimus*; since he was directly interested in the validity of the will, *being left the second heir of Cæsar's estate* [u]. Again, *Decimus* is mentioned in company with his *band of Gladiators*, which was the means of effectually giving opposition to *Cassius*; and therefore the *Brutus*, who is mentioned as having opposed *Cassius*, cannot well be understood to be any other than *Decimus*.

BUT the Letters to *Atticus* afford an instance, which is still more similar to the passage of *Paterculus*, and manifestly evinces, that *Cassius* and *Decimus* were particularly concerned together in the affair of saving *Antony*. *Cicero*, relating the conference, which he held at *Antium* with *M. Brutus* and *Cassius* concerning their accepting the ignominious commissions, obtruded on them by *Antony*, of buying corn for the use of the Republic; "Then," says he, "they [*M. Brutus* and *Cassius*]" "made many complaints of their loss of opportunities, and *Cassius* most of all; and blamed *Decimus*

[u] —Nominavit D.Brutum etiam in secundis heredibus. Suet. in Caes. c. 83. *Paterculus's* account is very remarkable: — Quem [Antonium] cum simul interimendum censuisset *Cassius*, testamentumque *Caesaris* abolendum, *Brutus* repugnauerat, dictitans, nihil amplius civibus praeter Tyranni, ita enim appellari *Caesarem* facto ejus expediebat, petendum esse sanguinem. Lib. 2. c. 58. Whether of the *Brutus's* is here

meant, *Paterculus* himself tells us by and by, where he reflects on *Decimus's* being killed a little time after: Justissimas optime de se merito—C. Caesari poenas dedit. Cujus cum primus omnium amicorum fuisset, intersector fuit, et fortunae, ex qua fructum tulerat, invidiam in auctorem relegabat; censebatque aequum, quae acceperat a Caesare, retinere: Caesarem, qui illa dederat, perisse. Cap. 64.

"severely

“severely on that account [x].” I alledged this passage for a decisive proof, that *Decimus* was the author of saving *Antony* in direct opposition to *Cassius*; the conference turning on the subject of *Antony’s* tyranny, *M. Brutus* being himself a party in making the complaint, and *Cassius* fixing on *Decimus* as the special object of his resentment. The Vindicator found himself here in great need of all the vigour of confidence and asperity of reflection, and by the multitude of his objections betrays a sense of their weakness; which will farther appear as we give them a distinct examination.

IN the first place, *there were*, it seems, *many other opportunities, which they lost, after Cæsar’s death* [y]; i. e. which *M. Brutus* and *Cassius* lost; the loss of which, therefore, neither of them could possibly charge to *Decimus’s* account. For the Apologist for *Cicero’s Life* very well knew, “that *M. Brutus* “and *Cassius*, as Prætors, should, immediately *after Cæsar’s death*, have called the Senate into “the Capitol, and proceeded to some vigorous “decrees for the security of the public tranquillity: “but *Brutus* was for marching calmly, and with “all due respect to the authority of the Consul [z].” The Apologist for the Letters proceeds, in the same strain of *Aristotelic* severity, to mention other *opportunities, which they, M. Brutus and Cassius, lost after they were driven out of Rome, by resolving to*

[x] Multo inde sermone
quererantur, atque id quidem
Cassius maxime, amissas occasio-
nes; *Decimumque* graviter ac-
cusabat. Ep. ad Att. xv. 11.

[z] Life of *Cicero*, v. ii. p.
251. Meministi me clamare,
— Senatum in Capitolium a
Prætoribus vocari? Ep. ad Att.
xiv. 10.

[y] *Mid. Pref. Diff.* p. 56.

live quiet and retired, and rejecting the assistance of all Italy, which was eager to arm itself in their cause [a]. These, he concludes, were the lost opportunities, which Cassius, a Prætor, lamented, and charged to the account of Decimus; who was no Prætor, nor appears to have had any particular concern in these transactions.

BUT perhaps, by a new rule of method, the proof is to follow the conclusion; for the person of Decimus is introduced by and by, and charged with doing something when Brutus and Cassius had withdrawn themselves from Rome [b]. Now this is liberal enough, to discharge him of the blame of losing any opportunities, which offered before Brutus and Cassius had withdrawn themselves from Rome. For Cicero, in his Letter to Atticus, expressly tells us, “ that he interrupted Cassius, al-
“ ledging to him, that he should not revive the
“ memory of things done and over; and hinting
“ what might have been done besides what was in-
“ timated by Cassius, viz. that the Senate should
“ have been called into the Capitol, the spirit of
“ the people encouraged, and the whole Common-
“ wealth seized into their hands [c].” It is plain then, that Cicero, who was rebuking Cassius for re-
collecting old passages, would not carry his recital farther back than Cassius had done; and there cannot possibly be any opportunity left for Decimus

[a] Mid. Pref. Diff. p. 56.

[b] Ib. p. 57.

[c] Ego negabam oportere præterita; —cumque ingressus essem dicere quid oportuisset, — Senatum vocari, populum ardentem studio vehementius in-

citari, totam suscipere Rempublicam, etc. Ep. ad Att. xv. 11. Il s'agit ici de ce qui se passa à la mort de César; et c'est pour cela que Cicéron dit, qu'il ne falloit pas rappeler le passé. Mongault. in loc.

to lose, but that of killing *Antony*. However, the Vindicator has gained an opportunity of translating a long Letter of *Decimus* to *Brutus* and *Cassius*; which he does well to excuse by premising, that *it gives some light to other questions, which may fall in our way, in the progress of this dispute* [d].

HE introduces his translation with laying down three facts, of which there is not a single one proved, and every one is very probably false, viz.—that *Brutus* and *Cassius* had withdrawn themselves from *Rome*;—that *Decimus* continued still privately in the city;—and that he continued there to negotiate with *Antony*, by the mediation of *Hirtius*, some measures for their common safety.—In the first place, he does not so much as attempt to prove, though he argues from it afterwards as an acknowledged fact [e]; “that *Brutus* and *Cassius* had withdrawn themselves from *Rome* :” but *Decimus*’s Letter, in the original *Latin*, affords a very strong proof of their continuing still in the city. Part of the information, which *Hirtius* gave to *Decimus*, was, “that *Antony* declared himself to be of opinion, that none of the Conspirators continue with safety in the city, where the soldiers and populace are so much irritated [f].” That these Conspirators still continuing in the city were

[d] *Mid. Pref. Diss.* p. 57.*Ib.* p. 66.

[e] “*Brutus* and his accomplices quitted *Rome* directly upon that very occasion [i. e. the tumults that ensued upon *Cæsar*’s funeral] which is confirmed, as we have seen above, by *Decimus*’s Letter.”

[f] *Nam se neque mihi provinciam dare posse ajebat, neque arbitrari, tuto in urbe esse quenquam nostrum, adeo esse militum concitados animos et plebis.* Ep. Fam. xi. 1.

Brutus and *Cassius*, is plain from *Decimus*'s own observation upon it: "I imagine," says he, "you find both these articles to be false; and that *Hirtius* observes to me truly, that *Antony* is only afraid lest, if persons of our quality have any countenance shewn us, they should retain no share in the management of affairs [g]." This very passage is likewise a demonstration of *Decimus*'s not continuing in the city at this time; since he can imagine only the report to be false, which *Antony* gave out to *Hirtius*, "of the soldiers and populace being so much irritated, that none of the Conspirators continued with safety in the city." The only proof which is offered to the contrary is, that *Decimus* negotiated with *Antony*, by the mediation of *Hirtius*; and yet, when I alledged, in proof of *Brutus* and *Cassius*'s still continuing in the city, that they held a personal conference with *Antony*, then actual Consul; the Vindicator would not allow this to imply, that they must necessarily be in the city: nay, he could declare it most probable, that their conference with *Antony* was held out of the city [h]. In my turn, I declare it most probable, that *Decimus* did not continue still in the city, from this very circumstance itself, because it was necessary for *Hirtius* to bring him information of the disposition of *Antony*, who was in the city, and laying claim to *Decimus*'s province of the *Hither Gaul*; on which account *Decimus* in particular could not continue with safety in

[g] Quorum utrumque esse falsum puto vos animadvertere; atque illud esse verum, quod *Hirtius* demonstrabat, timere eum, ne, si mediocre auxilium

dignitatis nostrae habuissimus, nullae partes iis in Rep. relinquerentur. Ep. Fam. xi. 1.
[h] *Mid. Pref. Diff.* p. 66.

the city. Lastly, if the Vindicator imagines, that *Decimus* was deputed by *Brutus* and *Cassius* to negotiate with *Antony*, by the mediation of *Hirtius*, some measures for their *common* safety; neither is this true. For *Decimus*, by his own advice, demanded an *honorary legation* for himself and others, and perhaps for *Cicero* among the rest, who might be disposed to *depart out of Italy* [i]; nor did he know that *Brutus* and *Cassius* would pursue the same measures, but asks them in this very Letter, and at the suggestion of *Hirtius* himself, whether he should undertake any thing on their account [k].

FROM this notable introduction we pass to the reflections upon *Decimus's* Letter; where the Vindicator is not more happy in advancing his *probabilities*, than he is already found to be in laying down his *facts*. It appears, says he, from this Letter, that, when *Brutus* and *Cassius* had withdrawn themselves from Rome, *Decimus* advised them to sit still for the present, and to attempt nothing vigorous; but to retire even out of Italy, and expect what chance might offer to them [l]. In the first place, *Decimus's* advice could not occasion the *loss of opportunities*, which *Cassius* lamented, because it was not given before the *opportunities*, referred to by *Cassius*, were actually lost, and before the Conspirators, as *Cicero*

[i] Cum in his angustiis versarer, placitum est mihi, ut postularem legationem liberam mihi reliquisque nostris, ut aliqua causa proficiscendi honesta quaereretur. Ep. Fam. xi. 1. Meam stultam verecundiam, qui legari noluerim! Ep. ad Att.

xiv. 5.

[k] Pro Cassio et te si quid me velitis recipere, recipiam. Postulat enim hoc Hirtius, ut faciam. Ep. Fam. xi. 1.

[l] *Mid. Pref. Diff.* p. 57, 60.

often laments, had already ruined their cause, by giving Antony leisure to recollect himself [m]. Secondly, the advice to retire out of Italy for the present, and expect what chance might offer, was not followed by Brutus and Cassius; but if it had been followed, would probably have retrieved the opportunities, which were already lost. For, lastly, the advice was exactly the same, which Cicero himself gave them a considerable time after; when, being displeased to see Brutus sit idle, he advised him and Cassius to accept a commission and to go abroad, i. e. to retire out of Italy; where they might have an opportunity of securing some of the provinces and armies to their interests; but this advice was also rejected [n].

THE Vindicator's second probability is, that Decimus, in the next conference with Hirtius, actually engaged his word for Brutus and Cassius, that they should undertake nothing against the public quiet, but live retired at a distance from Rome [o]. So Decimus must occasion the loss of opportunities, by advising them to retire out of Italy, and by engaging for them, that they should not retire out of Italy, but live retired at a distance from Rome. Secondly, there is not the least foundation, as we have seen, in the Letter, for supposing that Decimus did actually engage any thing in their name. Lastly, Cicero himself again, a considerable time after, actually engaged his word for them to the same Hirtius, when he was in the country, that they should not retire out of Italy, nor undertake any thing against

[m] Life of Cicero, v. ii. p. 255. dendum ex Italia. — Si melior casus fuerit, revertemur Romam.

[n] Mid. Pref. Diff. p. 68. Ep. Fam. xi. 1.

Dandus est locus fortunæ, ce- [o] Pref. Diff. p. 60.

the public quiet [p] ; nor is there any appearance of Hirtius's insisting with Cicero, that they should continue to pursue the conduct, which had been formerly promised in their name by Decimus.

THE last probability is, that Decimus engaged for Brutus and Cassius, on the condition of a promise from Antony, that he would ensure their safety, and calm the disorders of the city and restore peace to the Republic. For this, it is urged, was the conduct, which they actually pursued, and which they professed to pursue by Antony's advice, and from a dependence upon his promises [q]. Now Antony's promises, on which they depended, were about as long before, as their engagement made by Cicero was after the time of Decimus's negotiation. For Antony, upon the event of Cæsar's death, most solemnly engaged, and gave his Son an Hostage for the performance, that he would ensure the safety of the Conspirators, calm the disorders of the city, and restore peace to the Republic [r] ; and it is manifest, that Brutus and Cassius professed to pursue peaceable measures, from that very moment, by Antony's advice, and from their dependence on his promises [s].

[p] Brutus et Cassius utinam —per te exorentur, ne quod calidius ineant consilium. Cedentes enim haec ais scripsisse. —Retine, obsecro te, Cicero, illos. Ep. Hirt. ad calc. Ep. ad Att. xv. 6. —Rescripsi, nil illos calidius cogitare, idque confirmavi. Ep. Cic. ib.

[q] Mid. Pref. Diff. p. 60.

[r] Praeclara tum oratio M. Antonii, egregia etiam voluntas: pax denique per eum, et

per liberos ejus cum praestantissimis civibus confirmata est. Phil. i. 1. ii. 36. Consul Antonius —pacis auctor, liberos suos obsides in Capitolium misit, fidemque descendendi tuto intersectoribus Cæsaris dedit. Paterc. l. 2. c. 58.

[s] Nos ab initio spectasse otium, nec quidquam aliud libertate communi quaesisse, exitus declarat. Fallere nemo nos potest nisi tu. —Tibi enim uni

—In

— In short, it is hard to say for what purpose *Decimus's* Letter was at all concerned in our dispute, except the Vindicator was willing to give a specimen of the way, which he properly mentions on this very head, *of supporting discoveries by multiplying conjectures, instead of testimonies, and proving one hypothesis by another* [t].

To return with him then to *Cicero's* testimony: *What*, says he, *is most remarkable, the fact, of Marcus's being the author of saving Antony, is confirmed by Cicero himself, and in that very Letter which I alledged to confute it* [u]; where *Cicero*, after relating “ how the company had complained of their
“ loss of opportunities, and *Cassius* most of all,
“ blaming *Decimus* severely for it,” says; “ that
“ when he himself entered upon the mention of
“ what ought to have been done, and yet observed
“ nothing new, but what all the world said at that
“ time; nor even so much as touched upon that
“ point, *that somebody else should have been killed*;
“ *led*; but only that they ought to have summoned
“ the Senate into the Capitol, encouraged the
“ zeal of the people, and undertaken the whole
“ Commonwealth: *Servilia* cried out, I never
“ heard any body talk at this rate before. Upon
“ which,” says *Cicero*, “ I went no farther [x].”

credidimus, et credituri sumus.
Ep. Fam. xi. 2.

[t] *Mid. Pref. Diff.* p. 56.

[u] *lb.* p. 61.

[x] Cumque ingressus essem dicere quid oportuisset, nec vero quidquam novi, sed ea quae quotidie omnes; nec tamen illum locum attingere, *quenquam*

praeterea oportuisse tangi; sed Senatum vocari, populum ardentem studio vehementius incitari, totam suscipere Rempublicam: exclamat tua familiaris; hoc vero neminem unquam audiui. Ego repressi. Ep. ad Att. xv. 11.

Had the Vindicator read the passage thus intire, he could not possibly observe upon it, that the *lost opportunities*, mentioned by *Cicero*, were those that *Cassius lamented and charged to the account of Decimus* [y]: for *Servilia* tells us the direct contrary; besides that it was not possible for *Cassius* to charge to the account of *Decimus* what was properly chargeable to his *own account*. The subject of *Cicero's* complaint is evidently differenced from that of *Cassius's*; and the subject of *Cassius's* complaint is intimated by *Cicero's* saying, that he himself *did not touch upon the point, that any one else should have been killed*. *Cicero's* caution, about touching the affair of *saving Antony*, did not flow from his respect to *M. Brutus*, who was present; for *Cicero* used no caution in blaming the loss of opportunities, which was chargeable to the account of *Brutus* and *Cassius* only; though they were both present. Nay, however boldly it is affirmed, that *Cicero's* caution *could not flow from any other motive, but his respect to M. Brutus* [z]; yet the passage itself plainly suggests *another motive* of *Cicero's* caution, which would not restrain *Cassius*, naturally of a fiery spirit, and now inflamed against *Antony* by a new provocation [a], from touching the *tender* affair of *saving Antony*. This *motive*, in short, was the awe of *Servilia's* presence, who *was a woman of spirit and intrigue; in great credit with the Cæsarean party; yet had such a share in all the counsels of Brutus, that it made Cicero the less inclined to enter into*

[y] *Mid. Pref. Diff.* p. 62. *diceres*) se in Siciliam non iturum. Ep. ad Att. xv. 11.
 [z] *Ib.*
 [a] *Cassius* (*Martem spirare*

them,

them, or to be concerned with one, whom he could not trust [b]. Cicero himself observes to Atticus, what great caution he used on this very account; and yet could not escape Servilia's rebuke, upon which he was immediately silenced: and Cicero, in the presence of Servilia especially, would cautiously avoid touching on the point of any one's being killed with Cæsar; for her daughter Junia was married to Lepidus, who was destin'd to suffer the same fate with Antony, if the more moderate counsels had not taken place [c].

IN support of my interpretation of Cicero, I contented myself with alledging the single modern authority of M. Mongault, who thus comments upon the passage; "Paterculus tells us, that Cassius was for having Antony killed together with Cæsar, and that D. Brutus opposed him. Plutarch and Appian, who often copy him, say that it was M. Brutus; but there is reason to judge from this passage, that it was Decimus." Here the Vindicator sees, that M. Mongault builds his interpretation upon the testimony of Paterculus, in which he happens to be wholly mistaken; and speaks again of the opinion, which M. Mongault had declared, but upon the mistaken authority of Paterculus [d]. I, for my part, clearly see, that M. Mongault builds his opinion upon the passage of Cicero, which he interprets. But by and by neither Cicero nor Paterculus must have the honour of being the foundation

[b] Life of Cicero, v. ii. p. 297. Ep. ad Att. xiv. 8. Paterc. l. 2. c. 88.

[c] Ἐβελεύσαντο — καὶ τὸν Λέπιδον ἀποκτεῖναι. Dion. Hist. Rom. p. 248. De Junia vid.

[d] Mid. Pref. Diff. p. 63, and 64. not. 1.

of *M. Mongault's* opinion ; for we are farther told, that he was drawn inadvertently into his mistake by two eminent Commentators, *Bosius* and *Popma*, who had declared the same opinion before him. As to the charge upon myself of no small disingenuity in this use of *M. Mongault's* testimony, and of being more solicitous to establish an hypothesis, than the truth [e] ; the justice of it may be judged of from the issue of our argument.

XI. I have proved then, against *Plutarch* and *Appian*, who might easily derive their mistake from the equivocal sense of the Latin name ; from *Paterculus*, who is a better author than them both ; and from *Cicero*, who is a better author than them all ; and from *Cicero* and *Paterculus* compared together, who are excellent comments upon each other ; and, lastly, from the great probability of the thing itself ; “ that *D. Brutus* was the author of saving *Antony's* “ life, when *Cæsar* was killed.” My interpretation of *Cicero* is farther confirmed by the testimonies of *M. Mongault*, a true Critic ; and of *Bosius* and *Popma*, two eminent Commentators ; but it is put past all doubt by the context of *Cicero*, which confines the matter of complaint against *Decimus* to the very time of *Cæsar's* death ; and by the Vindicator's painful and fruitless attempt to shew, that *Cassius* could severely complain of *Decimus* on any other account than his saving *Antony*. The suspected Letters then confessedly making *M. Brutus* the author of that measure ; this is one decisive proof of their being spurious.

[e] *Mid. Pref. Diff.* p. 64. not. 1.

THE Sophist proceeds in his genuine character, and is imitated by his brother Apologist, the Biographer [*f*], to compare the conduct of *Cicero* and *Brutus*, from the time of *Cæsar*'s death, with regard to the three principal periods——of their continuance in the city,——of their leaving the city,——and of their leaving *Italy* [*g*]. On the first head, indeed, it seems necessary to introduce *two Sophists*, instead of one, who would very naturally think themselves obliged to undertake the popular province of vindicating *Cicero*'s political management from the death of *Cæsar* and the beginning of the war that ensued upon it [*h*]. The elder and more intelligent Sophist says, that, in the interval between the memorable *Ides of March* and *Brutus*'s leaving the city, *Cicero* was the more active of the two; and that *Lepidus* and *Antony* were the persons afraid of peace, and enemies to the public quiet, raising fresh disturbances in the State [*i*]. This is agreeable to true history: for *Cicero*, upon the event of *Cæsar*'s death, advised the Prætors to convene the Senate into the Capitol, and to make some vigorous decrees for the public security; but *Brutus* was for

[*f*] Life of *Cicero*, v. ii. p. 471, 2, etc.

[*g*] Quid ego autem secutus hoc bello sim in sententiis dicendis, aperire non alienum puto. Post interitum *Caesaris*, etc. Ep. ad Brut. i. 15.

[*h*] Illud necesse me ad te scribere, quid sentirem de tota constitutione hujus belli, et quo judicio essem, quaque sententia. Ib. ii. 7.

[*i*] Post——memorabiles *Idus Martias*——nos tum nimis acres, vos fortasse sapientius excessistis urbe.——Instrumentum regni delatum ad *Lepidum* et *Antonium*; quorum alter inconstantior, alter impurior, uterque pacem metuens, inimicus otio.——His ardentibus perturbandæ Reip. cupiditate——Ib. i. 15.

marching

marching *calmly*, and with all due respect to the authority of the Consul [k]. *Lepidus* and *Antony*, on the other hand, were the persons induced by inclination, and invited by the call of the populace, *to raise disturbances in the State*, on the sole pretence of vindicating *Cæsar's* murder [l]. But the other Sophist, by mistaking the object of *Cicero's* activity, which was exerted only to provide for the public security in a *constitutional* way, makes him thus declare himself to *Brutus*; “It was always my
“advice,” says he, “to set the Public free, not
“only from the Tyrant, but Tyranny itself. You
“were for milder counsels.—In that *early time* all
“your aims were bent on *peace*, which was not
“to be obtained by *Speeches*: mine on liberty,
“which cannot be without peace; but peace, I
“declared, was to be procured only by *war* and
“by *force of arms* [m].”—Here the Sophist presents us with a complication of his blunders; for the accomplices and their abettors, having nothing to do in that *early time* of *Cæsar's* murder, but to keep upon the defensive, from an apprehension of a legal prosecution, or a retaliation by force of arms; were all to a man for the *milder counsels of peace*: and *Ci-*

[k] *Meministine me clamare, illo ipso primo Capitolino die, Senatum in Capitolium a Praetoribus vocari? Dii immortales, quae tum opera effici potuerunt! Ep. ad Att. xiv. 10. Illam sessionem Capitolinam mihi non placuisse, tu testis es. Ep. 14. Comp. Life of Cic. v. ii. p. 251, 2.*

[l] *Appian. De bell. civ. p.*

511.

[m] *Scis mihi semper placuisse, non rege solum, sed regno liberari Rempublicam. Tu lenius—Recenti illo tempore tu omnia ad pacem, quae oratione confici non poterat; ego omnia ad libertatem, quae sine pace nulla est; pacem ipsam bello atque armis effici posse arbitrabar. Ep ad Brut. ii. 7.*

cero in particular imagined, that *peace* was to be obtained by *Speeches*, and did himself, the *third day* after *Cæsar's* death, make an excellent *Speech* in the temple of *Tellus*; decreeing an *amnesty* for what was passed, and laying the *foundation of their future tranquillity* [n]: nor can any thing be more inconsistent with the necessity of *Brutus's* affairs at that time, than that his *aim* should not be bent on *peace*; or with known fact, than that *Cicero* should even entertain the thought of a *peace* being to be procured only by war and by force of arms [o]. Here nothing is offered in defence of the Sophist but a misrepresentation of his original *Latin*: for, whereas he is speaking, in imitation of his elder brother [p], of what was done in that early time of *Cæsar's* death, and while *Brutus* still continued in the city; the *English* Translator makes him speak of what was done in that time of our late confusion; and asserts that *Brutus's* conduct, after he was driven out of the city, is the ground of *Cicero's* expostulation with him in the first part of this Letter; though he owns that *Cicero*, in the same part of the Letter, reminds *Brutus* of his original mistake, in saving *Antony*, at the time when *Cæsar* was killed [q].

[n] Post diem tertium veni in aedem Telluris—Phil. ii. 35.—In quo templo—jeci fundamenta pacis;—atque omnem memoriam discordiarum oblivione sempiterna delendam censui. Ib. i. 1.

[o] Habes igitur—inimicissimum otii, id est, *Bruti*. Ep. ad Att. xiv. 2. Conf. Appian. De bell. civ. p. 511.

[p] There seems to be ano-

ther instance of imitation; *Studia* non deerant arma poscentium, quorum repressimus impetum ardoremque restinximus. Ep. ad Brut. ii. 7. Erexerat enim se civitas in retinenda libertate consentiens.—*Italiae* sua vobis studia profitenti remisistis. Ib. i. 15.

[q] Mid. Ep. of Cic. p. 33, 39. not. 1.

COME

COME we to the *second* point of comparison of *Cicero* and *Brutus*, “their leaving the city.” I observed, “that our historical Apologist, upon the “authority of the *epistolary* one, advances the fact, “that *Cicero* did not leave *Rome* till *Brutus* and “*Cassius* had left it: whereas it appears from *Cice-* “*ro*’s genuine Letters, that he left *Rome* presently “after the assembly of the Senate, which was held “in the temple of *Tellus* [*r*].” The *whole* of my assertion may be easily maintained; but I thought it enough for my purpose to shew, that *Cicero* was private in the country, when *Brutus* and *Cassius* were still continuing in the city. The decree of the Senate, which confirmed *Cæsar*’s acts, was made in the temple of *Tellus* on the 17th of *March* [*s*]; and *Antony*, who recalled *S. Clodius* from exile in consequence of that decree, but was so complaisant to *Cicero* as to ask his consent, tells him by letter; “that through his *sudden departure* from the city “he had not the opportunity of requesting it by “word of mouth [*t*].” Hence it is probable, that *Cicero* was not present in those subsequent assem-

[*r*] Vos fortasse sapientius excessistis urbe.—Itaque cum teneri urbem a parricidis viderem, nec te in ea nec Cassium tuto esse posse, eamque armis oppressam ab Antonio: *mibi* quoque ipsi esse excedendum putavi. Ep. ad Brut. i. 15. Life of Cic. v. ii. p. 258. Ep. ad C. Middlet. p. 208.

[*s*] Quae tua fuga—praeclaro illo die [*Idibus Martiis*?]—Neque te *illo* die, neque *postero* vidi.—Post diem *tertium* veni

in aedem Telluris. Phil. ii. 35. —Multo firmitus acta Tyranni comprobaturum iri, quam in Telluris. Ep. ad Att. xvi. 14.

[*t*] Occupationibus est factum meis, et subita tua profectio, ne tecum coram de hac re agerem.—A *Caesare* petii, ut *S. Clodium* restitueret: impetravi. —Videor debere tueri *commentarium Caesaris*. Ep. Anton. ad calcem Ep. ad Att. xiv. 13.

blies of the Senate, in which *Antony* was required to specify the particulars of *Cæsar's* acts and commentaries, when he declared that only *one person*, i. e. *S. Clodius*, was restored from exile by them [u]. *Cicero* had his reasons for his sudden departure; for addressing himself to *Antony*, on the event of that very 17th of *March*, "What a day," says he, "was that to you? For though you shewed your-
"self my enemy on a sudden, I pity you for envying
"yourself the glory of that day [x]." Accordingly, when we find him in the country, he is requesting *Atticus* to smell out the disposition of *Antony*, and yet there appears to have been a perfectly good correspondence between *Antony* and *Brutus* even after this time [y]. Nay, the *Ciceronian* advocates have so little grounds to build a monument of praise to their Client, for his distinguished perseverance in the city, that *Cicero* did not so much as return to it,

[u] *Reliquis diebus* in Capitolio praeclara senatus consulta fecisti.—Meministi ipse de exulibus. Phil. ii. 36. Num—qui exules restituti? Unum agebat, praeterea neminem. Ib. i. 1. Indeed *Cicero* speaks as if he was present in those Assemblies. Assentiri etiam nos Ser. Sulpicio—voluit.—Dictaturam—ex Rep. sustulit, de qua ne sententias quidem diximus.—Auctoritatem ejus—secuti sumus, eique—gratias egimus. Ib. But this is only a cast of his Oration, of which there are several instances in this very Oration.

[x] Qui tibi dies ille, M.

Antoni, fuit? Quamquam mihi subito inimicus extitisti, tamen me tui miserer, quod tibi invideris. Phil. ii. 35. *Antony* had suspected, that *Cicero* would appear against him in the Senate, on the *Ides of March*, with regard to his falsifying the auguries, in the case of *Dolabella's* election to the Consulship. Ib. supra. ΕΥΘΥΣ ἔν δ' Ἀντώνιος ἐπ' ἡμέλῃ, καὶ πᾶσι μὲν ἦν φοβερὸς ὡς μοναρχήσαν, τῷ δὲ Κικέρωνι φοβερώτατος. Plut. in Cic. p. 882.

[y] Odorare tamen Antonii διαθεσιν. Ep. ad Att. xiv. 3. Optime tam etiam Bruto nostro probari Antoniam. Ep. 8.

when

when the Biographer says he did [z], to assist at the Senate on the *first* of *June*; nor was ever there from the time of his leaving it after the *Ides* of *March* till he returned from his intended voyage into *Greece*. When *Brutus*, on the *last* of *June*, earnestly pressed him to do honour by his presence to the shews, which he gave as *Prætor* to the city; *Cicero* alledged in excuse the *absurdity* of his going thither to see shews, “when he had never been at *Rome* at all since the commencement of these arms, or the war [a].” Now the *Latin* Apologists carry up the war as high as the very *Ides* of *March*; and the temple of *Tellus* itself was besieged by the armed Veterans while the Senate was assembled in it [b].

CICERO, now in the country, writes to *Atticus* the *fifth* Letter still remaining on *April 11th*; and the *first* relates his conference with *Matius*, an eminent *Cæsarean*, who had not spoken with one of the Chiefs of his party, but *Lepidus*, since the *Ides* of *March* [c]. The *second* acknowledges *Atticus*’s answer to his former, as the rest do the news

[z] “All these informations determined him at last not to venture to the Senate, but to withdraw himself from that city, etc.” Life of *Cic.* v. ii. p. 293. *Kal. Junii*—ut adesset edixerat.—Veterani—ad spem novarum praedarum incitabantur: quae cum audire mallet, quam videre, haberemque jus legationis liberum, ea mente discessi, ut adesset *Kal. Januarii*. Phil. i. 2. Vide Epist. ad *C. Middlet.* p. 19.

[a] Rescripsi, —ἀποπώταλος esse, me, qui Romam omnino post

haec arma non accesserim,—— subito ad ludos venire. Ep. ad Att. xv. 26.

[b] Quid ego—secutus hoc bello sim——Post interitum *Caesaris* et vestras memorabiles *Idus Martias*—Ep. ad Brut. i. 15.—de tota constitutione hujus belli—Recenti illo tempore—Ib. ii. 7. Nam *Liberalibus*—nonne omni ratione veterani, qui armati aderant,—defendendi fuerunt? Ep. ad Att. xiv. 14.

[c] Ep. ad Att. xiv. 1, 2, 3, 4, 5.

which

which *Atticus* occasionally sent him from the city. The quality of this news demonstrably confutes what the Vindicator asserts upon the authority of *Plutarch*, that *Brutus* and his accomplices quitted Rome directly upon occasion of the tumults, that ensued upon *Cæsar's* funeral [d]. For the Tribune *L. Cassius*, one of the accomplices, who bore a distinguished part in the execution of the murder, is a remarkable instance of the people's disposition towards the accomplices, in the applause given him by the Spectators, when he makes his public entrance into the Theatre [e]. The same fact shews the evasion to be utterly *unhistorical*, that if *Brutus* had only disappeared, or kept himself close within the city, for a few days before he left it, or had continued there in private, for a day or two [for several weeks] after *Cicero* was gone, it would be intirely consistent with every thing that is said or implied about it in these suspected Letters [f]; which expressly say, "that *Cicero* continued in the city after *Brutus* was gone." This evasion, I say, is utterly *unhistorical*, there being no occasion at this time for *Brutus* to disappear, or to keep himself close within the city, or to continue there in private. For even after this time things continued pretty quiet in the city, and *Cicero* himself was favoured with a legacy in the will of some active *Cæsarean*, where *Atticus* was a witness, and *Cicero* looked upon it as an argument

[d] *Mid. Pref. Diff.* p. 66. xiv. 2. *Alter Cassius adversum*

[e] *Bona signa consentientis multitudinis. Plautus vero L.* vulnerat, paullum infra jugulum. *Suet. in Caes. c. 82.*

Cassio datus, etiam facetus mihi quidem visus est. *Ep. ad Att.*

[f] *Ref. Diff.* p. 66, 7.

of a disposition in that party to maintain a good understanding [g]. *Atticus* sends later advices “ of disturbances being raised by a party of *Cæsar*’s freedmen, which, he thought, might be easily quelled, if *Antony* was not at the bottom of it.” Upon this event it was, “ that *Brutus* and *Cassius* were forced to hide their heads, and to keep themselves close within their own walls ;” which is not allowed to imply, that they must necessarily be in the city [h]. However *Atticus* sent better news the next day, and particularly “ that *Brutus* and *Cassius* held a personal conference with *Antony* ;” when they seem to have concerted common measures for the settlement of the State, and concluded with a resolution, “ that *Cæsar*’s nomination of the Consuls and Tribunes should take effect for two years [i].” Since it is here confessed, that *Brutus* and *Cassius* were undoubtedly either in the city, or in the near neighbourhood of it at this time ; what pretence can there be to say, that they kept themselves

[g] *Tranquillae* tuæ quidem literæ.—Ad obſignandum tu adhibitus non ſine cauſa videris. Volunt enim nos ita putare. Ep. ad Att. xiv. 3. What effect this Legacy might have had upon *Cicero*’s historical faith, had he executed the deſign of writing the Hiſtory of theſe times, may be learnt from a following Letter, where he ſays ; Hortaris me, ut hiſtorias ſcribam ? ut colligam tanta eorum ſcelera, a quibus etiam nunc obſidemur ? poterone eos ipſos non laudare, qui te obſignatorem adhibuerunt ? nec mehercule

me rauduſculum movet : fed homines benivolos, qualeſcunque ſunt, grave eſt inſequi contumelia. Ep. 14.

[h] Ab aleatore φνεμὸς πολὺς. Nam iſta quidem *Cæſaris* libertorum conjuratio facile opprimeretur, ſi recta ſaperet *Antonius*.—Vides—eos—parietibus contineri. Ep. 5. Comp. Mid. Pref. Diff. p. 66.

[i] Deinde, meliora te nunciare.—*Antonii* colloquium cum heroibus noſtris pro re nata non incommodum.—Etiamne Coſſ. et Tribunos pl. in biennium, quos ille voluit. Ep. 6.

so close that none but their own domestics knew where they were [k]? Was this even possible, when an important debate was transacted between a Consul and the chief Conspirators, the result of which must be presently public, and is actually sent by *Atticus* as the city news? Nor is there the least ground for the other pretence, that *they could hold the conference with more ease and safety out of the city, than in the midst of the riots within*: for *Atticus's* advices were not only peaceable, but shewed the Conspirators to be the darling of the city; and this was the precise time, when *Antony*, who occasionally covered his real designs with the mask of Patriotism, by some seasonable severities had quelled the riots of the city and established the public liberty and tranquillity [l]. *Cicero* did not hear before the 15th of *April*, that *Brutus* had been seen near *Lanuvium* [m]; whence he probably returned to the city, was highly delighted with *Antony's* proceedings, and, as *Cicero* imagines, might go even alone with safety through any part of the city [n]. Nay, when the Conspirators did at last retire for any continuance, it was not, as the *Latin* Apologist says, “because the city was possessed by the Parricides, “and oppressed by the arms of *Antony*,” for *An-*

[k] *Mid. Pref. Diff.* p. 66.

[l]—*Τυραννολόγους* in coelo esse.—Expecto quid de *Mario*; quem quidem ego sublatum rebar a *Caesare*. *Ep. ad Att.* xiv. 6. Lux quaedam videbatur oblata, non modo regno, — sed etiam regni timore sublato.—*Liberratus caedis periculo* paucis post diebus senatus videbatur. Un-

cus impactus est fugitivo illi, qui in *C. Marii* nomen invaserat. *Phil.* i. 2.

[m] *Brutum nostrum* audio visum sub *Lanuvio*. *Ep. ib.* 7.

[n] Optime tam etiam *Bruto* nostro probari *Antonium*. — Quem quidem ego spero jam tuto vel solum tota urbe vagari posse. *Ep.* 8.

tony himself and most of the *Cæsareans* left the city at the same time, under mutual assurances of preserving the peace, which had been solemnly stipulated in the Capitol [o]. *Antony*, before his departure, adjourned the Senate to the *first* of *June*, when at length he *began* to shew himself in his proper colours, and by the numerous *veteran* forces, which he had been levying in the country the *two preceding months*, gave to *Brutus* and *Cassius* the first occasion of not *venturing* themselves *into the city*; as well as to the Sophist of saying, “ that they were “ *driven out* of it by the arms of *Antony* [p].

Lastly, *CICERO* is placed in contrast with *Brutus* in regard to the *act* of *their leaving Italy*; where the Sophist, after a declamatory colouring of *Cicero's return* from his intended voyage, makes no less injurious a representation of *Brutus's flying away*. But the awkwardness of the management will best appear from his own words. “ My mind,” says the personated *Cicero*, “ always the same, and ever “ fixed on the love of my country, *could not bear* “ the thought of leaving it in its distress. In the “ midst, *therefore*, of my *Achaic* voyage, when an “ uncommon south wind had *driven* me back to

[o] Cum ipsi in tua potestate fuerimus, tuoque adducti consilio dimiserimus ex municipiis nostros necessarios, &c. Ep. Fam. xi. 2. Alia porro propria Dolabellae: quae, nisi Collega affuisset, credo eis fuisse futura communia. Phil. i. 2. Conf. Ep. ad Att. xiv. 9, 10, 11.

[p] Ecce enim Kalendis Junii, quibus ut adessemus edixerat, *mutata omnia*. Phil. i. 2.

O praeclaram illam percurstationem tuam mense Aprili atque Maio! Ib. ii. 39. Scribitur nobis magnam *veteranorum* multitudinem Romam convenisse jam.—Putesne nos *tutos* fore? Ep. Fam. xi. 2. Patriae liberatores *urbe carebant*. Phil. i. 2.—Nec te in ea [urbe] nec Cassium *tuto esse* posse,—Ep. ad Brut. i. 15.

Italy;

“ *Italy* ; I saw you at *Velia*, and was greatly concerned [q].” Here, in the midst of his Achaic voyage, the south wind so amicably conspired with the operation of the love of his country, that he returned because he could not bear to leave it, and yet was driven back to it. He goes on : “ I saw you,” says he, “ at *Velia*, and was greatly concerned. For “ you were retreating : you were retreating, I say, “ *Brutus*, since your *Stoics* will not allow their Wise- “ man to fly [r].” However evidently *Cicero* here blames the retreat of *Brutus*, and scruples, only in complaisance to his Stoicism, to call it a direct flight ; yet the Vindicator can say, that it is not the act of quitting *Italy*, that is censured at all in this place ; for that was become necessary in *Brutus*’s present circumstances ; and as such is even commended by the true *Cicero* [s]. I observed farther, — that this place was copied from the tenth *Philippic*, where the true *Cicero* using the same expression certainly speaks of the very act of *Brutus*’s quitting *Italy*, and highly commends it ; — that the true *Cicero* deliberately and in full council of *Brutus* and his friends advised him to take that step ; representing the danger of his returning to the city, to which measure *Brutus* was at that time inclined ; — and that the true *Cicero* was exceedingly desirous of retreating together with *Brutus* in his fleet ; — being so far from

[q] *Animus idem, qui semper infixus est in patriae caritate, discessum ab ejus periculis ferre non potuit. Itaque in medio Achaico cursu, cum — auster me in Italiam — retulisset, te vidi Veliae, doluique*

vehementer. Ep. ad Brut. i. 15.

[r] *Cedebas enim, Brute, cedebas, quoniam Stoici vestri negant fugere sapientis. Ib.*

[s] *Mid. Pref. Diff. p. 69.*

blaming him for making a *retreat* out of *Italy*, that he rather blamed him for his deferring it so long [t]. But what is the consequence of all this? Not that the *suspected Cicero* does *not* censure the act of *Brutus's* quitting *Italy*, which he manifestly *does* censure; but that he betrays, in *censuring* it, a shameful *folly* or *ignorance* of the *necessity* of *Brutus's* circumstances, and of the *true Cicero's* maxims and advice, which he constantly gave to *Brutus*. The *Vindicator*, who pretends, that *Brutus's* general conduct is blamed in this place, for driving him to that necessity of flying out of *Italy* [u], does not enter into the spirit and œconomy of the *Sophist's* Letter; for *Brutus's* general conduct had been blamed under the two foregoing heads of distinct distribution; the latter of which was determined by the act of *Cicero's* leaving the city, as the censure upon *Brutus's* quitting *Italy* is introduced with the encomium upon *Cicero's* return from his voyage.

NOTHING therefore can be said in defence of the Letter, but that if it must be judged *spurious*, because *Cicero* censures the act of *Brutus's* quitting *Italy*, which the *true Cicero* commended and even advised; then every caviller, who makes no allowance for different circumstances, may find contradictions in any thing [x]; and by the same method

[t] Eundem vidi postea *Veliae* cedentem *Italia*, ne qua ori-
retur belli civilis causa propter
se. *Phil.* x. 4. Ego—suadere,
ut uteretur *Asiatica* curatione
frumenti. — Quid tu, inquam,
Brute? *Romam*, inquit, si tibi
videtur. *Mibi* vero minime.
Tuto enim non eris. *Ep.* ad

Att. xv. 11. *Bruto* cum saepe
injecissem de ὁμοπλασίᾳ, non per-
inde, atque ego putaram, ar-
ripere visus est. *Ib.* xvi. 5. Illud
est mihi submolestum, quod pa-
rum *Brutus* properare videtur.
Ep. 4. *Ep.* ad *C. Mid.* p. 209, 10.

[u] *Mid.* Pref. Diff. p. 69.

[x] *Ibid.* p. 67.

prove any other part of Cicero's works to be spurious, as easily as these Letters: for Cicero often complains in his Letters to Atticus, that Brutus had ruined his cause by his indolence, in those very first days of his residence in the Capitol; yet the same Cicero, in a Speech to the Senate, applauds that very indolence, as a wonderful instance of his patience, moderation, and love of peace [y]. But here, in the first place, the Vindicator, by his own confession, must be the caviller, for he himself could argue, that the act of Brutus's quitting Italy could not be censured at all in the suspected Letter, because that was become necessary in Brutus's present circumstances, and as such is even commended by the true Cicero. Secondly, though the true Cicero would give the best advice to Brutus that he was able, and, if that was rejected, complain in his Letters to Atticus; but, in a Speech to the Senate, make the best construction and the best use of the measures which Brutus chose to pursue [z]: yet I will still maintain, that the true Cicero would never do what the Sophist evidently does; namely, foolishly reproach Brutus for the act of quitting Italy, in his Letters to Brutus himself; when he had not only commended that act in a Speech to the Senate, but authorized it by his deliberate advice and example, and all along represented it as necessary in his Letters to Atticus. I conclude,

XII. THAT this comparison of Cicero's and Brutus's conduct from the beginning of the war, the genuine offspring of one or two declamatory Apolo-

[y] *Mid. Pref. Diff.* p. 70.

[z] *Ib.* p. 71.

gifts, and adopted in great measure by an *historical* one [a], is *false* in all the *three points* of contrast; in making *Cicero's* activity *in the city* to be of the *military*, when it was of the *civil* character:—in making *Cicero's* departure from the city to be *later* than the departure of *Brutus* and *Cassius*, which is moreover said to have been occasioned by the prevalence of *Antony's* arms; when *Brutus* and the accomplices *continued openly* in the city long after *Cicero* had left it, nor were forced by *Antony's* arms to *leave* the city, but through the apprehension of them durst not *return* to it against the *first* of *June*:—and, lastly, in making *Brutus's* act of *quitting Italy* to be *dishonourable* in comparison of *Cicero's*, *cowardly* in itself, and *censured* by *Cicero*; when *Cicero* was more *precipitate* in that measure than *Brutus*, and actually *blamed* by the *true Brutus* for it; upon which *Cicero* thanks the *wind*, not the *perpetual love of his country*, for removing the *ignominy* of his *flight*, by bringing him back [b]; and when the same measure in *Brutus* was *necessary*, and both undertaken by the *advice* and approved by the *judgment* which the *true Cicero* expresses in his *Letters to Atticus*.

THE Sophist regularly proceeds to colour over *Cicero's* political management, of *Octavius* in parti-

[a] “ I have compared the
“ merit of *Cicero's* conduct
“ with that of *Brutus's*, from
“ the time of *Cæsar's* death; as
“ well as the different spirit of
“ the two preceding *Letters*.”
Mid. Ep. of Cic. p. 181. not.
3.

[b] *Brutus*—se laetari, quod
effugissem duas maximas vitu-
perationes, unam quam itinere
faciendo me intelligebam susci-
pere,—relictionis Reipublicae:
—Ego vero austro gratias mi-
ras, qui me a tanta infamia
averterit. *Ep. ad Att. xvi. 7.*

cular,

cular, after his return to Rome. The importance of the subject, according to the rules of art, is recommended by an introductory boast, “ that young “ *Octavius*, to whom they owed their being at “ that very time, was the creature of his politics “ [c].” Now this *very time*, it is justly observed, *could not be till July* [d]; and yet we are informed from the same hand, that *before Antony’s union with Lepidus, which happened on May 29th, Octavius, by the advantage of his present power, might take occasion to treat Casca as an assassin, and put the laws in execution against him, as he did quickly after against all the Conspirators* [e]: Nay, we are farther informed, that, before the 15th of May, *Octavius had given an intimation of his attempt upon the Consulship, and seemed to be forming some projects, which alarmed the friends of liberty* [f]. But I had rather shew, that the *suspected Letter* contains what is contrary to fact, than enter into the more easy province of shewing, that the *English* comment is perpetually at variance with the *Latin* original. The fact contained in the Letter is, “ that “ *Servius first* moved the Senate to grant *Octavius* “ the privilege of suing for the public magistracies “ before his regular time; and that *Servilius* also “ moved to shorten that time: whereas it appears “ from *Cicero’s genuine* writings, that *Cicero* himself “ was the *first* who made any such motion [g].”

[c] Dico, Caesarem hunc ad-
olescentem, per quem adhuc
sumus, — fluxisse ex fonte con-
filiorum meorum. Ep. ad Brut.
i. 15.

[d] *Mid. Ep. of Cic.* p. 163.

not. 24.

[e] *Ib.* p. 103. not. 3. and
p. 107. not. 18.

[f] *Pref. Diff.* p. 75, 6.

[g] *Statuam Philippus de-
crevit, celeritatem petitionis pri-*

IT is declared in one of *Cicero's Philippics*, "that
 " among the honours granted to *Octavius*, at *Ci-*
 " *cero's* motion, it was decreed, that he might sue
 " for the public offices, as if he were then of *Quæ-*
 " *storian* rank; which gave him the start by *ten*
 " *years* before all others of the same age; for he
 " was now scarce *twenty years* old [*b*]." Hence I
 argued, " that since *Cicero* was confessedly the *first*
 " who decreed *Octavius* to be *Proprætor* and *Sen-*
 " *tor*;" and decreed with the same breath, " that
 " he should have the place and precedence of a *Præ-*
 " *tor* in the Senate, and might sue for the public
 " offices, as if he were then of *Quæstorian* rank;
 " it seemed impossible, that any one should have
 " decreed to *Octavius* the precedence of a *Prætor*,
 " or the privilege of suing for offices as of *Quæsto-*
 " *rian* rank, before *Cicero* decreed him to be *Pro-*
 " *prætor* and *Senator* [*i*]." For as these are *prior*
 in the order of *Cicero's* decree, so *Octavius's* pre-
 cedence in the Senate as *Prætor* was in courtesy
 annexed to his character of *Proprætor*, and his pri-
 vilege of suing for offices, as of *Quæstorian* rank,
 was the natural consequence of his being a *member*
of the Senate. The *suspected* Letter, therefore, must
 be false in asserting, either that *Cicero* was the *first*
 who decreed *Octavius* to be *Proprætor*, or that *Ci-*
cero was *not* the *first* who decreed him to sue for

mo Servius, post majorem etiam
 Servilius. Ep. ad Brut. i. 15.
 Vide Epist. ad C. Middlet. p.
 211, 12.

[*b*] *Mid. Pref. Diff.* p. 71, 4.

[*i*] Ita censeo decernendum;

—Senatui placere, C. Caesarem

—Proprætores, Senatores

esse, sententiamque loco Præ-
 torio dicere; ejusque rationem,
 quemcunque magistratum ap-
 petet, ita haberi, ut haberi per
 leges liceret, si anno superiore
 Quæstor fuisset. Phil. v. 17.
 Epist. ad C. Middlet. p. 212.

offices,

offices, as of *Quæstorian* rank. We may farther observe, that even the honour of being made a *Senator*, in the case of *Octavius*, was in fact *accessory* to the other of his being made a *Proprætor*; and therefore *Cicero*, who *first* decreed him to be *Proprætor*, and included the other honours in the very same motion, must needs be the *first* who decreed to him the privilege of suing for offices, as of *Quæstorian* rank [k].

WHAT has the Vindicator to oppose to these direct proofs? He *presumes*, that the motion for *Octavius's* suing for offices, as if he was then of *Quæstorian* rank, had been proposed before by *Servius*, and that *Servilius* might move still to have *Octavius* considered as an *Ædilitian*; and that *Cicero* might close with his friend *Servius*, and then add the other greater honours; the legal command of his army, with the rank and ornaments of a *Prætor* [l]. All this, says he, may fairly be presumed upon the credit of these *Letters*, i. e. which are the matter of our dispute; and then, with a policy of very great use to him, he charges me with a double *petitio principii*. But this string of *presumptions* has been already broken by the evidence of authentic history, which declares, that the legal command of the army, with the title of a *Proprætor*, and the ornaments of a *Consul*, were the honours to which the rest were

[k] C. Caesari — Proprietoris imperium a Senatu datum est cum Consularibus ornamentis, *adjectumque*, ut Senator esset. Liv. Epit. l. cxviii. Here the place in the Senate, and

the privilege of suing for offices are not mentioned, being implied in the characters of *Proprætor* and *Senator*.

[l] Mid. Pref. Diss. p. 72.

added [m]. And can it be reconciled to *plain sense*, that the *greater honours*, and *prior* in all natural order, of *Octavius's* being made a *Proprætor* and *Senator*, could be *accessory* to a part, nay, *the most inconsiderable part* of what *Cicero* decreed to *Octavius*? *Cicero* however, who *added* this *ample supplement*, would not for all that adopt the more honourable vote of *Servilius*, but rather *closed*, in decreeing a *most inconsiderable honour*, with *Servius*, because he was his friend! *Quaeso, abjiciamus ista!*

BUT all these *presumptions* will be disappointed at once by our answer to the *Vindicator's* learned interrogatory. *How does it appear*, says he, *that no body but Cicero had ever made the same motion, either in that or any other meeting of the Senate [n]?* What! has he so soon forgot, that *Cicero* was the person, who, the *November* before, *entered into a-greement with Octavius*, by the mediation of *Oppius*, to make this *same motion [o]?* Or does not he know, that there was no *other meeting of the Senate*, before *that* on the *first of January*, in which such a motion could be made to any effect? Indeed there was a *meeting* on the 20th of the *December* before, and the business of it was expressly *prescribed* by the *Tribunes*, namely, “to provide for
“the security of the *new* *Consuls* in holding an as-
“sembly of the *Senate* on the *first of January*.” where *Cicero* was so eager to be making *his motion*, that some art was necessary to introduce the very mention of it [*p*]. At this *meeting* if any thing was

[*m*] *Vide Liv. Epit. ut supra.*[*n*] *Mid. Pref. Diff. p. 72.*[*o*] *Ib. p. 29.*[*p*] *Quamobrem, Tribuni plebis, quanquam vos nihil aliud nisi de praesidio, ut Senatum*

decreed

decreed concerning *Octavius's* honours, it was decreed at the motion of *Cicero*, and the legal command of his army with the title of *Proprætor* was not added to the other honours, but originally moved for, as it was the thing principally wanted by *Octavius* [q]. But the matter of *Cicero's* motion being only proposed at this meeting, in order to its being reconsidered on the first of *January*; then *Cicero* was the first who renewed the motion and added to the title of *Proprætor* the other of *Senator*, and, in consequence, the precedence of *Prætor* in the Senate, and the privilege of suing for offices, as if *Octavius* was of *Quæstorian* rank. This is evident from the very proposition of the motion, in which there is no mention of *Cicero's* closing with any other Senator; as there is, when he closes with *Servilius* in decreeing a monument to *Serv. Sulpicius*, and adds a statue in brass to be placed in the *Rostra* [r]. Besides, *Calenus*, Father-in-law to the senior Consul *Pansa*, was first asked to speak upon the business of the meeting, and certainly did not make any such

tuto Consules Kal. Jan. habere possint, retulistis, tamen mihi videmini — potestatem nobis de tota Rep. fecisse dicendi. — Quamobrem omnia mea sententia complectar, vobis, ut intelligo, non invitis, ut et præstantissimis ducibus a nobis detur auctoritas, et fortissimis militibus spes ostendatur præmiorum. Phil. iii. 5, 6. Cum Senatum a. d. xiii Kal. Jan. Tribuni plebis vocavissent, deque alia re referrent, totam Remp. sum complexus. Ep. Fam. x. 28. Ho-

dierno die primum — longo intervallo, me auctore et principe, ad spem libertatis exarsimus. Phil. iv. in fine.

[q] Cui quidem [M. Bruto] P. C. vos idem tribuere hoc tempore debetis, quod a. d. xiii Kal. Jan. D. Bruto et C. Cæsari, me auctore, tribuistis, quorum privatum de Rep. consilium et factum auctoritate vestra est comprobatum atque laudatum. Phil. x. 11.

[r] Phil. ix. 6, 7.

motion

motion [s]; and the Consul would be punctual in asking *Cicero* in the next place, because the *general order* of demanding the opinions of the Senators, till the succeeding Consular elections, was usually established by the Consul on the *first* of *January* [t]; nor does *Cicero* in the least intimate, when there was the best opportunity for it, that any one had spoken before himself in favour of *Octavius* [u].

XIII. *CICERO* was the person engaged by *Octavius* to propose a vote in the Senate for decreeing him honours; *Cicero* was the *first* who proposed the vote *as soon as* the honours could be decreed; the matter of *Cicero's* vote was, that *Octavius* should be *Proprætor* and *Senator*, have the precedence of a *Prætor* in the Senate and the privilege of suing for the public offices, as if he were then of *Quæstorian* rank; therefore “ *Cicero* was the *first* “ who moved the Senate to grant *Octavius* the privilege of suing for the public offices before the

[s] *Me perturbasset ejus sententia, qui primus rogatus est, nisi vestrae virtuti constantiaque considerem. Phil. v. 1. Cicero* seems to regret, that he himself had only the *second* place of speaking after *Calenus*, by the destination of *Pansa*. Sed mihi, P. C. necessitatem attulit paullo plura dicendi sententia ejus, qui *rogatus est ante me*: a quo ita *sæpe* dissentio, ut jam verear, ne — minuere amicitiam nostram videatur *perpetua dissensio. Ib. x. 1.*

[t] Primum igitur scito, *primum me non esse rogatum sententiam. — Sum — ab obser-*

vando homine perverso liber, — et ille secundus in dicendo locus habet auctoritatem paene principis. Ep. ad Att. i. 13. Vide Casaub. in loc. Qui ordo in sententiis rogandis servari solet, eundem tenebo in viris fortibus honorandis. A Bruto igitur, Consule designato — capiamus exordium. Phil. v. 13.

[u] Qui [Consulares] utinam omnes *ante me* sententiam rogarentur! quanquam suspicor, quid dicturi sint quidam eorum, qui *post me* rogabuntur. Facilius contra dicerem, si quid videretur. Phil. v. 2.

“ regular

“ regular time.” — Again, the *suspected* Letter declares, that *Cicero* was the *first* who decreed to *Octavius* the *legal command* of his army, or that he should be *Proprætor*; it is manifest from history, that the honour of being *Senator* was *accessory* to the honour of being *Proprætor*, and from the nature of the thing, that *Octavius* must be *Proprætor* and *Senator* before he could have the precedence in the Senate as *Prætor*, and the privilege of suing for offices, as one of *Quæstorian* rank; therefore “ *Cicero*, who “ decreed the legal command and the privilege of “ suing for offices *by the very same vote*, must needs “ be the *first* who decreed to *Octavius* the privilege “ of suing for offices.” — These direct arguments, not to expose again the *absurdity* of the many *presumptions* to the contrary, sufficiently shew, that I do not *reject the fact* of *Servius*’s being the *first* mover of the Senate to grant *Octavius* the privilege of suing for offices before the regular time, *because it is found in the suspected Letter* [x]; but that I reject *the Letter* because a *false fact* is found in it, *Cicero* being the *first* who made any such motion.

WE are entering on another consideration, which must make the Vindicator himself ashamed of his *fair presumption*; “ that *Cicero* closed with *Servius*’s vote, which considered *Octavius*, in his “ suing for the Magistracies, as of *Quæstorian* rank “ only; not with *Servilius*’s, which considered him “ as an *Ædilitian*.” In another *apologetical Letter*, which expressly mentions *Lepidus*’s union with *Antony*, and refers to facts of still later date, the *su*

[x] *Mid. Pref. Diff.* p. 72.

spected Cicero is first informed of *Octavius's* designs upon the Consulship. "As to *Cæsar*," says he, "who has been governed hitherto by my advice, and is indeed of an excellent disposition and admirable constancy [y]; some people by most wicked letters, messages, and fallacious accounts of things, have pushed him to a most assured hope of the Consulship; which as soon as I perceived, I never ceased admonishing him in his absence, nor reproaching his friends who are present, and who seemed to encourage his ambition; nor did I scruple to lay open the source of those most wicked counsels in the Senate [z]." This is the famous passage perpetually alledged to shew, that no man was more shocked at *Octavius's* attempt upon the Consulship, or took more pains to dissuade it than *Cicero*; and to correct the tradition of antiquity, that *Cicero* was a promoter of *Octavius's* demand of the Consulship; being duped and drawn into it by an assurance given him by the young man, that he would take him for his Colleague, and be governed by him in all points during their joint administration [a]. I undertook to defend the old tradition, which is now made to depend upon the single authority of *Plutarch*; though it was formerly acknowledged to be received implicitly by the *Moderns* upon the credit of some old Writers [b], whose authority together

[y] "*Octavius*, from the death of the Consuls, shewed but little regard to the authority of *Cicero* or the Senate; and wanted only a pretence for breaking with them." Life of *Cic.* v. ii.

p. 455.

[z] Ep. ad Brut. i. 10.

[a] *Mid. Ep. of Cic.* p. 134. not. 8. Life of *Cic.* v. ii. p. 456.

[b] Ep. of *Cic.* ib. Pref. Diff. p. 73. Comp. Life of *Cic.* ib.

with the *express declarations* of the *true Cicero*, and with the *suspensions* of the *Sophistic Brutus*, was alledged by myself to prove, “ that the *true Cicero* “ would never have called *Octavius’s* attempt upon “ the Consulship *a most wicked one*, or exposed the “ source of it in the Senate; when he himself had “ been the *source* and *promoter* of that attempt, and “ not only decreed to *Octavius* the honours above “ mentioned, but given him, in a Speech to the “ Senate, an *assured prospect* of the Consulship [c].”

PLUTARCH reports, upon the authority of *Octavius* himself, “ that when *Octavius* was in fear “ of losing his command, and of being quite aban- “ doned, he served himself of *Cicero’s* ambition at “ that necessary conjuncture, making the proposa- “ to him of their standing joint candidates, and “ of assisting each other in their suit for the Consul- “ ship; which proposal,” says he, “ old *Cicero* “ readily embraced; and being cajoled by the young “ man to engage the Senate to their interests, im- “ mediately disoblighed his friends, and shortly after “ found himself quite ruined and the public liberty

[c] — Qui non solum cele-
ritatem petitionis Caesari decre-
verit, sed spem certissimam Con-
sulatus in Senatu ostenderit.
Epist. ad C. Middlet. p. 213.
These words the Dr. thus tran-
slates—“ when he [*Cicero*] him-
“ self had decreed to *Octavius*
“ the honours above mention-
“ ed, and given him an assured
“ prospect of the Consulship.”
Hence he draws a conclusion,

that “ our Critic, by the man-
“ ner of pushing his argument,
“ seems to mistake the matter
“ and to imagine, that by the
“ rank and ensigns of a *Prætor*,
“ decreed to *Octavius* by *Ci-*
“ *cero*, he was in effect to be
“ considered as a *Prætor*, and
“ had nothing left but to de-
“ mand the Consulship.” *Mid*
Pref. Diss. p. 74, 5.

Q

“ betrayed

“ betrayed [d].” *Appian* continues the relation, telling us, “ that *Cicero* moved the Senate to make “ *Octavius* Consul, and, lest the Public should receive damage by his youth and inexperience, to “ join with him some grave and prudent Governor “ in the magistracy; but *Cicero*’s ambition was “ laughed at by the Senate, and the relations of the “ accomplices of *Cæsar*’s murder particularly opposed the motion, through their dread of a prosecution, if *Octavius* should be Consul [e].” The same Historian tells us farther, that when *Cicero*, a little time after, was supplicating the mercy of *Octavius*, not in behalf of *Brutus*, but of himself, he did mightily extol to *Octavius* the merit of his motion for making him Consul [f]. These authorities of *Plutarch* and *Appian* may well be called to my assistance against the suspected Letters; though in a former instance, when they were expressly on the side of these Letters, they were declared to be of no other use, but to mislead a poor Sophist [g]: for in the former instance they were contradicted by better authorities; but in the present case, one of the Historians expressly alledges the authority of *Octavius* himself; and both of them made great use of *Octavius*’s Commentaries, which consisted of thirteen

[d] Ὁμολόγει δὲ Καῖσαρ αὐτὸς, ὡς δειδιῶς κατὰ λυσιν, καὶ κινδυνέων ἔρημος γενέσθαι, χρήσασθαι τῇ Κικέρωνος ἐν δέοντι Φιλαρχίᾳ, προβλεψάμενος αὐτὸν ὑπαλείαν μείναι, συμπράττοντος αὐτοῦ καὶ συναρχαιρεσιάζοντος, &c. *Plut. in Cicero*. p. 884.

[e] *Appian. De bell. civ.* p. 579. “ It is certain, that *Cicero*

“ might have been declared “ Consul, by the unanimous “ suffrage of the people, if he “ had desired it.” *Life of Cic.* v. 2. p. 456.

[f] — Ἀπελογεῖτο, καὶ τὴν εἰσήγησιν τῆς ὑπαλείας ὑπερεπῆρεν, ἣν αὐτὸς ἐν τῇ βουλῇ προέτερον εἰσηγήσατο. *Ib.* p. 585.

[g] *Mid. Pref. Diss.* p. 73.

books,

books, concerning his own Life [b]: nor are they contradicted by any thing but the Letters, and therefore must be good evidence against them. I might add the testimony of *Dio*, who relates the affair “ of *Oetavius*’s negotiating with *Cicero* about “ the *Consulship*, on condition of making him his “ Collegue in the office [i];” but may content myself with repeating the observation, “ that the Sophistic *Brutus* himself betrays a consciousness of “ this universal tradition; and copies, in his manner, the very *Historians* whom he contradicts; “ since he no sooner suspects, that *Oetavius* will “ make an attempt upon the *Consulship*, than he “ is informed, that *Cicero* is created actual Consul[k].”

BUT there is a tender place still remaining, which the *Vindicator* did not care to touch, the true *Cicero*’s testimony produced by me to shew the impossibility of his exposing in the Senate the source of *Oetavius*’s most wicked attempt upon the *Consulship*. For in his Speech to the Senate, where he is decreeing the other extraordinary honours to *Oetavius*; “ What reason,” says he, “ can there be, why we “ should not wish to see *C. Caesar* receive the greatest honours as soon as possible? For our Ancestors “ required by their annuary laws the qualification

[b] Appian. De bell. civ. p. 653. Suet. in Aug. c. 85.

[i] Πάνυ γάρ τοι ἔπρασσε διὰ τε ἄλλων, καὶ διὰ τῆς Κικέρωνος, ὥπως χειροτονηθείη, ἔτιωσ ὥστε καὶ συνύπαλον ὑποσχέσθαι οἱ ποιῆσαι. Dion. Hist. Rom. p. 319.

[k] *Timeo* de *Consulatu*, ne

Caesar tuus altius se adscendisse putet decretis tuis, quam inde, si Consul factus sit, descensurum. —His literis scriptis te Consulem factum audivimus. Ep. Brut. i. 4. Epist. ad C. Middlet. p. 213.

“ of a greater age for the *Consulship*, through their
 “ apprehension of the unadvisedness of Youth.
 “ But *C. Cæsar* has given in his early youth such a
 “ specimen of excellent virtue, as to convince us
 “ that we ought not to insist upon more advanced
 “ age.”—He then proceeds to find fault with the
 annuary laws, by which many great geniuses were
 cut off before they could exert themselves in the ser-
 vice of the Public. “ But in more remote times,”
 says he, “ the *Rulli*, the *Decii*, the *Corvini*; —
 “ and in later times, the *elder Africanus* and *T. Fla-*
 “ *minius* being made *Consuls* when they were very
 “ young, performed many great actions, to the
 “ enlargement of the *Roman Empire*, and to the
 “ honour of its name. Did not *Alexander of Ma-*
 “ *cedon*,” says he, “ after a series of the greatest
 “ exploits, die in the *thirty third* year of his age,
 “ that is, *ten years* sooner than any one can be
 “ *Consul* by our present laws? Whence we may
 “ judge, that virtue advances with a swifter pro-
 “ gress than age. For as to the fears of those who
 “ envy *Cæsar*, lest he should not use the honours
 “ and power, to which we raise him, with pru-
 “ dence and moderation; there is no manner of
 “ ground for them.—On him hang all our hopes
 “ of liberty, to him we are already obliged for our
 “ safety, and *the greatest honours* are contriving
 “ and already provided for him [1].”—How could

[1] Quid est enim, P. C. cur
 eum non quam primum amplissi-
 mos honores capere cupiamus?
 Legibus enim annalibus cum
 grandiore aetate ad *Consu-*
latum constituebant, adolescen-
 tia temeritatem verebatur.—

At vero apud antiquos *Rulli*, *De-*
cii, *Corvini*; recentiore autem
 memoria superior *Africanus*, *T.*
Flaminius, admodum adolescen-
 tes *Consules* facti, tantas res gef-
 ferunt, ut P. R. imperium aux-
 rint, nomen ornarint.—In hoc

a professed Answerer of *all my objections* suppress this irrefragable evidence of the *true Cicero*, and represent me as having argued only from the *mistaken matter* of the honours, which *Cicero* decreed to *Octavius*, that *Cicero* at the same time gave him the *assured prospect of the Consulship* [m]? I would farther ask, whether it is not more likely, that *Cicero* sent this Speech to *Octavius*, than that he sent it to *Brutus*? And whether it was not the real source of *Octavius's* most wicked attempt upon the Consulship? For *Octavius*, when he was urging his claim of the Consulship, alledged to the Senate, in the very words of the Speech, “ that they had already “ given him the start by *ten years* before all others “ of the same age, in suing for the public offices;” and “ that, in antient times, *Corvinus*, and, in “ the later times, *Scipio* were promoted to the Consulship in their more early age, when the Public “ was greatly benefited by their services [n].” — On the other hand, the *suspected* Letters make *Brutus* not only to receive this *fine present* from *Cicero*, but to return a magnificent encomium upon the *excellent principles* and *ingenuity* of the Speech [o]; and, according to the *Vindicator*, *Brutus* retained

[Caesare] spes libertatis posita est, ab hoc accepta jam salus, huic summi honores et exquiruntur et parati sunt. Phil. v. 17, 18.

[m] *Mid. Pref. Diff.* p. 74.

[n] — Ὅτι καὶ πάλαι Κορνήλιος τε ἀρξέειε, νεώτερος ὢν ἔτι, καὶ Σκιπίων ὕστερον, — καὶ ἐκ τῆς νεότητος ἐκάστου πολλὰ ὄναϊο ἢ πατρὶς. — αὐτῷ τε Καίσαρι ἤδη δε-

δοῦσθαι τὴν ἀρχὴν μελίσσεται δάσσοι ἐτῶν δέκα. Appian. De bell. civ. p. 582.

[o] Legi orationes duas tuas, quarum altera *Kal. Jan.* usus es. — Nunc scilicet hoc expectas, dum eas laudem. Nescio animi an ingenii tui major in his libellis laus contineatur. Jam concedo ut vel *Philippici* vocentur. Ep. Brut. ad Cic. ii. 5.

this opinion of it for *many months after*, when at last *the public measures, that Cicero entered into with relation to Octavius, on the first of January, were the foundation of what Brutus took occasion to reproach him with [p]*. This therefore is regularly entered into the long list of *Brutus's inconsistencies [q]*. But with what *consistency* could Cicero freely censure *Octavius's* attempt upon the Consulship in *Letters to himself*, and the abettors of it *to their face*; and lay open the source of that *most wicked attempt in the Senate*; when he himself was the source and grand abettor of it *in the Senate* by a *public Speech*, which was known to *Octavius* and every body else, and of which Cicero was perpetually boasting, both *in the Senate and with the People, for many months after*? Or with what *face* could he talk in such a strain to *Brutus*, who is supposed to have read the Speech, and therefore must be provided to pronounce *him self-condemned*? For my part, I am not capable of thinking that this Speech was ever greatly applauded by the *true Brutus*, much less that the *true Cicero* could act so *absurdly* towards *Octavius, Brutus*, and the whole world; and therefore conclude,

XIV. FROM the *consistent account of three ancient Historians*, from the positive declaration of the *true Cicero*, expressed in his *fifth Philippic*, and from a *suspicion* dropt by the *Sophistic Brutus* himself; that *Cicero* did not do what the *suspected Letter* and *one modern Historian* say he did, *viz.* “ as soon as “ he heard of *Octavius's* attempt upon the Consul-

[p] *Mid. Pref. Diff.* p. 43. *Ep. of Cic.* p. 181. not. 3.

[q] *Life of Cic.* v. ii. p. 471.

“ ship,

“ ship, censure *Octavius* for it by letter, and the
 “ abettors of it to their face, and lay open the
 “ source of that *most wicked counsel* in the Senate.”

HENCE it farther appears, what little reason the Vindicator had to observe, *that Cicero might well be shocked, that a boy, not twenty years old, should not be content with the extraordinary honours already decreed to him, but, in contempt of those who decreed them, resolve at once to seize the Consulship [r].* But though the *true Cicero* could not be *shocked at an ambition so extravagant*, yet I readily agree with him, that *every one else well might*; and therefore can easily defend, against his cavils, the *other fact*, which I alledged as a farther ground of suspicion upon these Letters, viz. “ that, in a Letter dated the
 “ 15th of May, *Brutus* begins to express his apprehensions, that *Octavius* would make an attempt
 “ upon the Consulship, before *Octavius* himself had
 “ given the least indication of it [s].” In the first place, he asks; *Why do I fancy, that Octavius had not given any intimation of such a design? The Consuls had been dead about a month [t].* Should we admit the chronological part of this argument for the present; *the Consuls* might have been dead only about a day with regard to *Brutus*, who expressly answers to *Cicero's* first advices of the victory obtained before *Modena*, and was informed by them, that *Octavius* was in full pursuit of *Antony* [u]. But a

[r] *Mid. Pref. Diff.* p. 75.

[s] *Itaque timeo de Consulatu, &c. Ep. Brut. i. 4. Epist. ad C. Middlet.* p. 213.

[t] *Pref. Diff.* p. 76.

[u] *Quanta sim laetitia affectus cognitis rebus Bruti nostri et Consulium, &c. Ep. Brut. i. 4. Reliquias hostium Brutus persequitur et Caesar. Ep. ad*

whole month will not do the business; for the *suspected Cicero*, as we have already seen, did not hear of any such *intimation* for several weeks after the date of *Brutus's* Letter; and we were once told, that *Octavius* himself waited to see what became of *Antony*; till finding him received and supported by *Lepidus*, he began to enter into the league with them, and was persuaded by his friends to make a demand of the *Consulship* [x]: nor did *Plancus*, who was at the distance of only twenty miles from *Antony* and *Lepidus*, immediately after their union, and carried on a commerce of Letters with *Octavius* himself, hear a syllable of his league with them, much less of his making a demand of the *Consulship*, till a considerable time after the 6th of *June* [y].—Again, *All*

Brut. lib 3. " This is said by
 " conjecture only; being what
 " Cicero took for granted: but
 " it was soon after understood,
 " that *Octavius* refused to pur-
 " sue *Antony*, and that *D. Brutus*
 " was in no condition to do it."
 " Midd. not. in loc. p. 62. Yet
 the *suspected Cicero*, a long time
 after, *sophistically* excuses the
 conduct of *Octavius*, and
 throws the chief blame of *not*
pursuing Antony upon *D. Brutus*.
Bellum ad Mutinam gerebatur,
nihil ut in Caesare reprehenderes;
—Bruti deinde ita multa
peccata, ut quodammodo vi-
ctoria excideret e manibus:
perterritos, inermes, faucios non
sunt nostri duces persecuti. Ep.
 10. *Manutius*, in order to
 reconcile this to *true history*,
 arbitrarily strikes out the name
Bruti, which he owns to be

the reading of the *antient copies*. This however is certain,
 that the *suspected Cicero* here
 extends his censure to *D. Brutus*;
 and yet the *true Cicero* had been
 informed, long before this time,
 " that *D. Brutus* was in no
 condition to pursue *Antony*,
 till it was too late, for want of
 Horse, *etc.*" and that the blame
 of that neglect was to be charged
 to the single account of *Octavius*.
 Ep. Fam. xi. 10, 13. Comp.
 Mid. Ep. of Cic. p. 62. not. 14.
 [x] Life of Cic. v. ii. p. 455.
 [y] *Lepidus*—se cum Antonio
 conjunxit a. d. iv Kal. Junias;
 —viginti millia passuum cum
 abessent, res mihi nuntiata est.
 —Veniat Caesar cum copiis
 quas habet firmissimas: aut, si
 ipsum aliqua res impedit, ex-
 ercitus mittatur. Ep. Fam. x.
 Rome,

Rome, says the Vindicator, *was expecting who should succeed the Consuls; where all people's eyes and thoughts would necessarily be turned upon Octavius, as the only person in Italy, who could impose what Consuls he pleased* [z]. He must say, if he will say any thing to the purpose, “that all people's eyes and thoughts were turned upon Octavius as the only person *who would make an attempt upon the Consulship himself;*” and then he will have a fine occasion of reconciling contradictions and of explaining how this *ambition in a boy, not twenty years old*, could at the same time be *so extravagant*, that every body might well be shocked at it. He goes on; D. Brutus, we find, in a Letter to Cicero, dated May the 5th, plainly intimates his apprehensions on this very article; yet I will not allow, says he, M. Brutus to be half so sagacious as his name-sake [a]. The apprehensions then, which M. Brutus expresses concerning Octavius, are resolved at last into his natural sagacity, not into any intimation, which Octavius might have given of such a design; whence M. Brutus will appear to be far more sagacious than his Brother Decimus. I absolutely deny, that Decimus did turn, or had at this time the least reason to turn his eyes and thoughts upon Octavius, as the only person in Italy, who either would make an attempt upon

23. Here Plancus, upon the Union of Lepidus with Antony, requests of Cicero to be recruited by Octavius's forces; though before that event he held Antony's army in the greatest contempt. Ep. 18. He likewise solicited Octavius to join him by repeated instances, and al-

ways received assurances of his coming without delay; but at last was informed of his demand of the Consulship. All this is related in his Letter dated July 28. Ep. 24.

[z] *Mid. Pref. Diff. p. 76.*

[a] *Mid. ib. Ep. Fam. xi.*

10.

the

the Consulship himself, or *could impose what Consuls be pleased*. For *Decimus*, in this very Letter, dated *May* the 5th, laments it as a great misfortune to his affairs, “ that *Octavius* had as little authority over “ his own army as himself had over *Octavius* [b].” All that *Decimus* plainly intimates concerning the *Consulship* is, “ that upon the vacancy of the office, by the death of both the Consuls, the ambition of the Competitors might occasion disturbances in the city; and that he recommends his own concerns to *Cicero*, as far as he could explain “ by letter [c].” He had just before intimated, “ that his enemies in the city were hindering his “ promotion to honours, but could not hinder his “ pursuing the public good in the administration of “ them [d].” Is not this intimation enough to a man of affairs, that *Decimus* himself was making an attempt upon the vacant *Consulship*, being already *Consul Elect* for the following year? He had given the like intimation near a week before, when he sent the first news of *Pansa’s* death; and was then so sagacious as to foresee an opposition in the city, where they were so far from turning their eyes upon *Octavius*, that the Senate was for paying little regard to *J. Caesar’s* nomination of *D. Brutus* and

[b] Sed neque Caesari imperari potest, nec Caesar exercitui suo: quod utrumque pessimum est. Ep. Fam. xi. 10.

[c] Quantam perturbationem rerum urbanarum adferat obitus Consulium, quantamque cupiditatem hominibus injiciat vacivitas non te fugit. Satis me multa

scripsisse, quae literis commendari possint, arbitror. Scio enim cui scribam. Ib.

[d] Interpellent me quo minus honoratus sim, dum ne interpellent quo minus Resp. a me commode administrari possit. Ib.

L. Plancus

L. Plancus to the Consulship, and would probably have filled up the vacancies with two *true* and *trusty* Pompeians, if it had been adviseable to disoblige these powerful Generals in such an hazardous situation of affairs [e]. In like manner we find Plancus more plainly *intimating* his desire to be substituted in the place of Hirtius; presuming, that his Brother Brutus might succeed Pansa the senior Consul [f]. —I gave, upon this head, another instance of our *suspected* Brutus's superior *sagacity*, since he could both *foresee* Octavius's attempt, and *bear* the report of Cicero's being made Consul at the same time. The Vindicator does not explain, upon what *intimation* of Cicero's real design, upon what *expectation* of all Rome, or upon what maxims of political wisdom, such a *conjecture* could be naturally founded [g]. I will therefore supply the defect, and assert without scruple,

XV. THAT the Sophist formed his *double prophecy* upon the plan of *events* mentioned by the Greek Historians; that no other account can be

[e] Pansa amisso,—nunc auctoritate et prudentia tua propicias oportet, ne inimici nostri, Coss. sublatis, sperent se convalescere posse. Ep. Fam. xi. 9. Τὴν ὑπάλον ἀρχὴν εἰς τὸ λοιπὸν τῶν ἔτεσιν οἱ Πομπηϊανοὶ μετέβησαν ἀντὶ Ἰδέως τε καὶ Πάνσας. Appian. de bell. civ. p. 578.

[f] Tantum te rogo, in Hirtii locum me subdas. Ep. Fam. x. 21.

[g] “There was a report spread in the mean while through the Empire, that Cicero was chosen Consul.” Life of Cic. v. 2. p. 456. For

this fact the Dr. alledges the authority of Brutus's Letter. The report, which was spread through the city at this time was, that Cicero would make himself Tyrant. Scitis enim per hos dies creberrimum fuisse sermonem, me—cum fascibus descensurum. In aliquem credo hoc gladiatorem, aut latronem, aut Catilinam esse consultum, non in eum, qui, ne quid tale in Rep. fieri possët, effecerit.—In me impetus conductorum hominum quasi in Tyrannum parabatur. Phil. xiv. 5, 6.

given

given of *Brutus's* entertaining the thought of *Cicero's* being made *Consul*; that *Brutus* suspects *Octavius's* attempt upon the *Consulship*, not only before *Octavius* gave the least *intimation* of it, but before either his pretended Brother *Decimus, Plancus*, the suspected *Cicero*, or, as far as appears, any one in *Italy* expressed or conceived any *apprehensions* upon that article: and as *Brutus* greatly distinguishes his *sagacity* above every person living at that time, so this *sagacity* could not proceed by any measures of *political divination*; since for *Octavius*, a boy, not twenty years old, not to be content with the extraordinary honours already decreed to him, but, in contempt of those who decreed them, to resolve at once to seize the *Consulship*, was an ambition so extravagant, as to be little less than the affectation of a *Tyranny*; and so bold an insult upon the laws, as every body might well be shocked at [b].

BUT however *sagacious* our *Sophistic Brutus* may appear in *predicting* real events; I alledged, as a still farther ground of *suspicion* upon him, a manifest and indeed *shameful blunder* of his in point of antiquities; "Since in giving *Cicero* an account
 " of the state of his army, he had made mention
 " of a *Sedition*, which was raised in the *fourth Legion*: whereas it is evident, even from many passages of *Cicero's Philippics*, that the *fourth Legion*, which is said to be with *Brutus* in *Macedonia*, was actually with *Hirtius* at this time before *Modena* [i]." — The *Vindicator* allows, that

[b] *Mid. Pref. Diff. p. 75.* quae facta est in *legione quarta*,
Ep. of Cic. p. 78. not 5. etc. *Ep. ad Brut. l. 2. Epist.*

[i] *Quod scribis de seditione,* ad *C. Middlet. p. 215, 6.*

the fourth veteran Legion was now fighting against Antony in Italy, and is often celebrated in Cicero's Philippics on that account. He allows likewise, that the Roman Legions were distinguished according to the order of their enrollment, i. e. at Rome, by the names of second, third, fourth, &c. [k]: but, to clear the Letters from the blunder, he advances for certain facts, first, That the Roman Generals, who had occasion to raise new Legions in distant parts of the Empire, used to name them according to the order in which they themselves raised them, without regard to any other Legions whatsoever [l]: And, secondly, That Brutus therefore having secured all the veteran troops in Macedonia, and raised new ones to the number of five Legions, distinguished them undoubtedly by the order in which he himself had raised them [m.]

In the first place, if the Roman Generals were used to name their new-raised Legions according to the order, in which they themselves raised them, without regard to any other Legions whatsoever; then the Vindicator might have afforded us one instance, at least, of such use in all the duration of the Roman Republic to the time of Brutus's writing concerning his fourth Legion. And as all his observation of the Roman Legions being duplicates with regard to their numeral characters, is confined to the later times under the Roman Emperors, so he has not, even in these times, alledged any one instance of Legions being duplicates with regard to their numeral characters only, which is the precise case of the two fourth Legions, one of which is pretended to

[k] *Mid. Pref. Diff.* p. 77.

[m] *Ib.* p. 79.

[l] *Ib.* p. 78.

be with *Brutus* in *Macedonia*, and the other was fighting at the same time against *Antony* in *Italy* [n]. He himself observes concerning his *duplicate* Legions, that they were farther distinguished by different surnames, drawn either from the name of the Emperor who raised them, or chiefly from the places in which they had been raised, or had long resided [o]. But for a demonstration of the falsity of his certain fact or main principle, I refer the Reader to a Letter from a very learned and ingenious Friend, who was pleased, at my request, to indulge me the honour of communicating to the world a more accurate and curious dissertation than has yet appeared in it on the antient numeral characters of the Roman Legions [p].

IN the next place, the conclusion, which is built on that erroneous principle, must now fall of course, viz. *That Brutus therefore, having secured all the veteran troops in Macedonia, and raised new ones to the*

[n] Of the Legion, which was fighting against *Antony* in *Italy*, it is said; *Quarta victrix desiderat neminem.* Phil. xiv. 12. But here *victrix* is not the surname of the Legion, the passage only importing, *That the fourth Legion was victorious without the loss of one man.*

[o] *Mid. Pref. Diff.* p. 78. Even these general characters betray the later origine of the duplicate Legions. The forces, which were raised in the distant Provinces of the Roman Empire, were incapable for the most part of being put upon the public Legionary establishment,

till long after *Brutus's* time, when all the subjects of the Roman Empire were made Roman citizens. Cic. Orat. pro Arch. c. 5. Conf. Ulpian. Dig. l. 1. tit. 5. l. 17. et Justin. Novell. 78. c. 5. And the practice of stationing particular Roman Legions for long residence in the Provinces of the Empire seems to have been introduced by *Augustus*. Ex militaribus copiis legiones et auxilia provinciatim distribuit. Suet. in Aug. c. 49. Conf. c. 24.

[p] See Dr. Chapman's Letter on the Roman Legions, annexed at the end.

number

number of five Legions, distinguished them undoubtedly by the order in which he himself raised them, without respect to any other Legions in the Empire. We may farther observe, that this is likewise demonstrably false, if the suspected Letter rightly informs us, that Brutus's whole force at this time consisted of five Legions, besides his auxiliary troops and a body of Horse [q]. For if Brutus could distinguish his fourth Legion by the order in which he himself raised his new troops; then four Legions at least of the whole number five must needs have been made up of Brutus's new recruits. But the true Brutus himself tells us, that P. Vatinius, late Governor of Illyricum; had opened the gates of Dyrrachium, and delivered up to him his whole army [r]. This army consisted of no less than three intire Legions; and another intire Legion was surrendered to young Cicero, who commanded under Brutus, by L. Piso, C. Antony's Lieutenant [s]. Thus we see Brutus become possessed of four intire

[q] Cum tu eo quinque legiones, optimum equitatum, maxima auxilia haberes. Ep. ad Brut. i. 2.

[r] P. autem Vatinius aperuit Dyrrachii portas Bruto, et exercitum tradidit. Phil. x. 6. Cum Vatinii legionibus quid erat Antonio. c. 5.

[s] Τα μὲν ἐν Ἰλλυριοῖς τρία τέλη τῆ στρατῆ παραλαμβάνει, Οὐατινίου τῆ πρότερον ἀρχὸς Ἰλλυριῶν παραδόχῳ· ἐν δὲ ἐκ Μακεδονίας ἀφείλετο Γαίον τὸν ἀδελφὸν Ἀντωνίου. Appian. De bell. civ. p. 632. Legio, quam L. Piso ducebat,

legatus Antonii, Ciceroni se filio meo tradidit. Phil. x. 6. It is not improbable, that the Sophist took the occasion of calling the seditious Legion, the fourth Legion, because he knew from history of other three Legions, which Brutus was master of; and this additional Legion taken from C. Antony was easily looked upon as the seditious Legion, because the sedition was raised in Brutus's army by Antony, when he was become Brutus's prisoner. Plut. in Brut. p. 996. Appian. Ib. 577.

Legions,

Legions, which he himself did *not* raise, and which were *undoubtedly* distinguished by *the order in which* they respected all *the other veteran Legions in the Empire*: nor is there any more than *one* Legion of the *five*, which *Brutus*, with the assistance of *Q. Hortensius*, could raise of new levies [*t*]; and this Legion could not, on any hypothesis, be distinguished by the name of a *fourth* Legion. I may add, that none of the *four* veteran Legions, which *Brutus* received from *Vatinus* and *Piso*, could on any hypothesis be called the *fourth* Legion; for then *two fourth* Legions must be subsisting nearly in the same parts and at a small distance of time; the genuine *fourth* Legion, which was now fighting against *Antony* before *Modena*, being one of the *Macedonian* Legions, which *M. Antony* went to meet on its return to *Brundisium*, and which was shortly after conducted by *Octavius* to *Modena* [*u*].

HENCE we learn, that it was very *easy*, though the Vindicator declares it *hardly possible*, for *Brutus* to distinguish his own Legions otherwise, than by

[*t*] This is certain on the supposition of the *truth* of the *suspected Letter*, which tells us that *Brutus's* army consisted of *five* Legions. *Cicero* therefore must be understood to *rhetoricate*, where he says of *Brutus*; *Legiones conscripsit novas, excepit veteres*. *Phil.* xi. 12. But perhaps *Paterculus* may oblige us to interpret the *true Cicero* literally, and to reject the *suspected Letter*. *M. Brutus C. Antonio*—in *Macedonia*, *Vatinioque*

circa Dyrrachium volentes legiones extorserat;——*eratque septem legionibus validus*. *Paterc.* l. 2. c. 69.

[*u*] Cum *Antonius* occurrisset exercitui, quem ex *transmarinis provinciis Brundisium* venire jusserat, *legio Martia et Quarta*——*sublatis signis ad Caesarem* se contulerunt. *Paterc.* l. 2. c. 61. *Antonius*——*Brundisium* erat profectus obviam *legionibus Macedonicis* *iiii.* *Ep. Fam.* xii. 23.

the order in which he raised them [x]. For since he received *four* veteran Legions *intire*, they were already distinguished to his hands by their *numeral characters*. But, should we allow that some of the Legions were composed of *new levies*, or completed by the junction of several broken Legions; he might yet distinguish them, if there should be immediate occasion for it, as other Generals had done in like cases, by a *nominal* not by a *numeral* character [y]. Lastly, he might have distinguished them by a *descriptive* character; for the *true Brutus* actually did so distinguish one of his Legions, and probably the *sedition* Legion itself, though it was before *undoubtedly* distinguished by a *numeral* character [z]. And this is confutation enough of what is farther alledged, *that Brutus, in giving an account of the Sedition in his army, could not mark out the particular Legion in which it happened, in any other manner but that of the order in which it stood among his own five Legions* [a]. On the contrary, he could not at all mark out *to Cicero* the particular Legion in which the *Sedition* happened, by calling it only the *fourth* Legion, if that denomination respected the order of *his own Legions*, not the order of *all the Legions in the service of the Republic*, according to their enrollment at *Rome*. I conclude,

XVI. THAT our Sophistic *Brutus* is not yet

[x] *Mid. Pref. Diff.* p. 80.

[y] *Privato sumptu addidit*
[J. Caesar] *unam* [legionem]
ex *Transalpinis* conscriptam, vo-
cabulo quoque *Gallico*. *Alauda*
enim appellabatur. *Suet. in Cæs.*
c. 24. — *unam ex Sicilia vete-*

ranam, quam factam ex duabus
gemellam appellabat [Pompeius.]
Caes. de bell. civ. l. 3. c. 4.

[z] *Legio, quam L. Piso du-*
cebat, legatus Antonii, — *Phil. x.*
6.

[a] *Mid. Pref. Diff.* p. 80.

discharged of the *blunder* in making mention of the *fourth* Legion in his army; since the Vindicator's account of this affair is intirely unsupported by any facts of like antiquity and pertinent to the present case: nor could *Brutus*, on any hypothesis, call one of his Legions *the fourth* Legion, when he tells us in his Letter, that he had only *five* Legions; and when it appears from history, that *four* of these were *veteran* Legions, of which no one could possibly be distinguished by the name of *the fourth* Legion.

To return to the instances of *Brutus's* extraordinary sagacity. I observed "that his correspondent "*Cicero*, in a Letter dated *April 18th*, could acknowledge a Letter of *Brutus*, in which he had expressly declared, "*that he would not move his army from Apollonia and Dyrrachium, till he heard of Antony's flight, the eruption of his Brother Brutus, and the victory of the Roman people:*" whereas the news of even the *first* battle before *Modena*, according to the *suspected* Letters themselves, did not arrive at *Rome*, much less at *Brutus*, till the *20th* of that month [*b*]." Here I argued, that a *common* man might well content himself with saying, "that he would not move his army till he heard of *Brutus's* being set at liberty, or of the *siege* of *Modena's* being raised;" nor would be so minute in specifying the circumstances of that great

[*b*] Tuum consilium vehementer laudo, quod non prius exercitum Apollonia Dyrrachioque movisti, quam de An-

tonii fuga audisti, Bruti eruptione, populi Romani victoria. Ep. ad Brut. i. 2. Conf. Ep. 3. Epist. ad C. Middlet. p. 216.

event,

event, *Antony's flight, Brutus's eruption, and the victory of the Roman people*: and this in fact was the case of a vote proposed in the Senate, *before the same event*, "that the Consuls should have the
 " commission of the war against *Dolabella*, to take
 " place *when D. Brutus should be set at liberty* [c]." But if a Sophist was the author of the contrivance, it is easy to conceive how he might make *Brutus write* what he himself had *read of*, the several *circumstances* of an event, which in the plan of correspondence is *supposed to be future* [d]. The Vindicator acknowledges in effect, that the bare *supposition* of an event, which was really *future*, could not be so *circumstantially* expressed; and the point in question between us is, "Whether the mention,
 " which was made in *Brutus's Letter*, of *Antony's flight, Decimus's eruption, and the victory of the Roman people*, was *intended by the Letter-writer himself* to imply the *supposition* of a *future* or the
 " relation of a *past* event."

IN proof of the *Letter-writer's* intending to express the *supposition* of a *future* event, I alledged, in the first place, the *date* of *Cicero's* answer to *Brutus's* Letter, *as it now stands in all the editions* [e]. Here the Vindicator, forgetting that I was *in the noviciate* of my *Criticism* [f], objects to me the ignorance of what *every novice in Criticism* knows,

[c] At vero ita decernunt, ut liberato Bruto. Phil. xi. 9.

[d] "In this case it is as hard to conceive, that a Sophist should flatly contradict by the date what he affirms in the

"Letter, as that *Cicero* himself "should have done it." *Mid.*

Pref. Diff. p. 83.

[e] *Ib.* p. 80.

[f] *Ib.* p. 123.

that *the dates of Letters are too weak a foundation to lay any stress upon* [g]; and yet *the dates of Cicero's genuine Epistles are the only foundation, upon which he lays stress in stating the times of four principal facts, of which all the suspected Letters make frequent mention, and the times of which being known may serve as so many æras towards settling the dates of the particular Letters* [h]. Nay, I will venture to affirm, that the precise times of almost every fact in his Life of Cicero are settled upon no better foundation than the *dates of Letters or other antient writings; and therefore he must either disclaim his principle as a Critic, or condemn his practice as an Historian.* The grounds of this *uncritical principle are the infinite blunders that are perpetually made in dates, through the ignorance or inadvertence of Transcribers, in all MSS. whatsoever.* But can such a disciplined Veteran in the practice of Cicero's works be ignorant, that *infinite blunders are perpetually made in almost every line of his text, through the ignorance or inadvertence of Transcribers, the conceit of antient and modern Interpolators, the officiousness of Scholiasts, and the Lambinian audaciousness of Correctors; on which accounts there are in proportion incomparably more various readings of the text, than of the dates, in all Cicero's Letters and Orations?* He proceeds to instruct us how *the dates were described, according to the Roman way of computing, by numeral letters; as if the same letters, by adding, deducting, and transposing, were more liable to mistake, when they are numeral than when*

[g] *Mid. Pref. Diff.* p. 81.[h] *Ib.* p. 125.

they are *elementary*: and yet, after all this elaborate *description of numerals*, which expressed the *days* of the month, our circumspect reformer of *dates* does not want to change the *date* of the *day*, but the whole *name* of the *month* [i]. Of such change he produces *two instances* from the whole collections of *Cicero's Letters to Atticus* and the *familiar Letters*, by *comparing their dates*, in *Grævius's edition*, with the *various readings* which he has collected of them [k]; where *Cicero* very probably did not put any name of the *month* at all. For in the one case, the *month* is signified to *Atticus* by the contents of the Letter; in the other, the *month* was known to *Tiro* by *three Letters*, which he had received a few days before [l].

THAT the *dates* of Letters, which Letters are confessedly *genuine*, must be changed, where they are contradicted either by other *more certain* dates or by any *real facts* which are mentioned in the *Letters* themselves; I readily allow. But when both the *genuineness* of the Letters and the *reality* of the facts are the very matter in dispute; to answer objections, which are made to the Letters and taken from their dates, by *reducing those dates to a conformity with the facts* [m], is doubly begging the question; in proving the reality of the facts from the *supposed* genuineness of the Letters, and in answer-

[i] "I have taken the liberty
"to alter the *month* in this
"date, and instead of *xiv Kal.*
"*Maii*, have put *xiv Kal. Jun.*
"which will solve all the ob-
"jections that are made to the
"Letter." *Mid. Ep. of Cic.* p.

93. not. 9.

[k] *Pref. Diff.* p. 81. not. 1.
and p. 82.

[l] *Ep. ad Att.* iii. 8. *Fam.*
xvi. 7. *Conf.* 4, 5, 6.

[m] *Pref. Diff.* p. 83.

ing objections to the Letters by *supposing* the reality of the facts. Nor, if this way of reasoning is admitted, can almost any Letter be ever proved to *suppose any future event*, or to *speak of things before they really happened*; since the qualifying expedient would be always at hand, of *reducing its date to a conformity with its facts*. The Vindicator allows, that the *dates of Letters may be urged even in prejudice to facts*, much more in proof of the Writer's *intending to suppose a future fact*, when *there appears no reason to suspect them* [n]; and there is no solidity in the *reason*, which he alledges, for *suspecting the date* in question. For the Sophist does not by any means *flatly contradict by the date what he affirms in the Letter*, but only *supposes*, under the person of Brutus, the *future event* of raising the siege of Modena; though he expresses his *supposition* something more *graphically* than it would have been expressed by the *true Brutus*, when he was not yet acquainted with the *circumstances* of that event.

BUT with what complexion could it be suggested, that I *have nothing to alledge* in support of the *present objection*, but the *date of Cicero's answer* [o]? I farther *alledged the contents* of this answer and the express testimony of a subsequent Letter; whence it almost demonstrably appears, that, in the *intention* of the Letter-writer, Brutus uttered his *descriptive supposition* when neither himself nor even his correspondent Cicero had heard any news of the victory obtained before Modena. It appears from Cicero's answer, that Brutus is supposed to have written to the following

[n] *Mid. Pref. Diff.* p. 82.[o] *Ib.* p. 83.

effect; “ I have purposed not to move my army
 “ from *Apollonia* and *Dyrrachium* before I have
 “ heard of the flight of *Antony*, the eruption of *Bru-*
 “ *tus*, and the victory of the *Roman* people. *After-*
 “ *wards* I will lead it into the *Chersonefe* ;” i. e.
 against the *five Cohorts* which *Dolabella* sent thither
 [p]. *Brutus*, agreeably to the *date* of *Cicero*’s answer,
 is placed in the very point of expectation of the im-
 pending event before *Modena* ; upon which as he was
 to move his army from *Apollonia*, by leading it into
 the *Chersonefe* (which the *illative* particle plainly im-
 plies) so the *Sophist* provides an artificial conjun-
 cture, in which *Brutus* might execute his *whole*
resolution of not moving his army from *Apollonia*
 and of leading it into the *Chersonefe*, almost at once.
 And, for my part, as far as I am able to judge, I
 take the *Latin* plan of *Brutus*’s Letter to be more
 ingenious than the *English* one, which, by postpon-
 ing *Cicero*’s answer a *whole month* later than its *date*,
 makes *Brutus*, almost a *month* after the victory of
Modena, according to the computation of these
 Letters, tell *Cicero* at last the resolution, which
 he made before that victory, of not moving his army
 from *Apollonia* ; in order to oppose it to a resolution,
 made since, of leading it into the *Chersonefe* [q].

[p] Tuum consilium vehe-
 menter laudo, quod non prius
 exercitum Apollonia Dyrrachio-
 que movisti, quam de Antonii
 fuga audisti, Bruti eruptione,
 populi Romani victoria. Ita-
 que quod scribis, postea statuiste
 te ducere exercitum in Cherro-
 nesum, &c. Ep. ad Brut. i. 2.

[q] “ I highly applaud your

“ resolution, of not removing
 “ your army from *Apollonia*
 “ and *Dyrrachium*, before you
 “ had heard of *Antony*’s flight,
 “ etc. As to what you write
 “ therefore, that you have since
 “ resolved to lead your army
 “ into the *Chersonefe*,” etc. *Mid.*
 Ep. of Cic. p. 89.

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THE Sophist, however, as if he had been full as *sagacious* as *Brutus*, in *foreseeing* that some Critic of *translating* genius might, by disputing the *date* in opposition to the *sentiment* of his Letter, deprive him of the glory of his plan; was resolved to fix the *date* of *Cicero's* answer to *Brutus*, by referring to it expressly as *written when Cicero himself had not heard any news of the victory of Modena*. For *Cicero*, after reciting *Brutus's* descriptive supposition of the victory, gives an *ample approbation* of “ his resolution to lead his army into the *Cherronese*, and “ not to suffer the authority of the *Roman* people “ to be insulted by the most wicked enemy, *Dolabella* [r].” Now *Cicero*, in a subsequent Letter, dated *May 5th*, refers to his *approbation* of that same resolution, as *expressed to Brutus when Cicero had not heard the news of the victory*. “ That this “ was my opinion,” says *Cicero*, “ even before, “ you may recollect from my former Letter; “ though at that time our only refuge was in your “ camp, and our recruits of safety in your army. “ Wherefore now, when we are delivered from all “ danger, we ought to be more intent on the overthrow of *Dolabella* [s].” Can any reference be

[r] Quod scribis, postea statuisse te ducere exercitum in Cherronesum, nec pati scelerrissimo hosti ludibrio esse imperium populi Romani, facis ex tua dignitate et e Republica. Ep. ad Brut. i. 2.

[s] Atque hoc mihi jam ante placuisse, potes ex superioribus meis literis recordari; quam tum et fugae portus erat

in tuis castris, et subsidium salutis in tuo exercitu. Quo magis nunc liberati, ut spero, periculis, in Dolabella opprimendo occupati esse debemus. Ep. ad Brut. i. 5. Thus the true *Cicero* expresses their confidence in *Brutus's* army, when they were in daily expectation of the event of *Modena*. Quod qui ab illo abducit exercitum, et

more

more plain than this is to the Letter *still in being*, which pretends to be written by Cicero only *two days* before the news of the victory of *Modena* arrived at *Rome*? The Vindicator did not venture *directly* to contradict this allegation, but only to insinuate *in a note*, that the Letter of *May 5th* refers here to *some Letters now lost* [t]. I cannot help remarking, that our Respondent has arrived at a credulity, which surpasses the power of hypothesis itself. The Letter of *May 5th*, we see, refers to a *former Letter* (not *Letters*) *by name* and under a *certain character*, to which character the Letter of *April 18th* precisely answers, and therefore in all probability is the very Letter referred to. The *hypothesis* alledged in answer is barely *possible* on the *supposition* of *some Letters* being *lost*, to which the Letter of *May 5th* *could* refer. The proof of this hypothesis is, that, on the contrary, the Letter of *April 18th* refers to a *decree*, mentioned in the *Letter* of *May 5th*, *which was made in favour of Brutus at Cicero's motion, on the 27th of April* [u.]

respectum pulcherrimum, et *praesidium* firmissimum adimit Reipublicae. Phil. x. 4.— non ut ex ea acie *respectum* haberemus; sed ut ipsa acies *subsidium* haberet etiam transmari-num. Ib. xi. 11.

[t] *Mid. Ep. of Cic. p. 69. not. 4.*

[u] Ib. p. 93. not. 9. Valde delector, me *ante providisse*, ut tuum iudicium liberum esset cum Dolabella belli gerendi: et id valde *pertinuit*, ut ego tum *intelligebam*, ad *Rempublicam*; ut nunc iudico, ad *dignitatem*

tuam. Ep. ad Brut. i. 2. That this is no reference to the decree mentioned in the Letter of *May 5th*, is evident from these words of the Letter; Equidem sic *sentio*, si manum habet, si castra, si ubi consistat uspiam Dolabella; ad fidem et ad *dignitatem tuam pertinere* eum persequi. Ep. 5. The Sophist seems mightily delighted with this *poor* conceit. For in the former Letter, we have again; Facis ex tua *dignitate* et e *Republica*.

This

This *proof* indeed puts on the appearance of a *fact*, but yet it is a *fact* only *possible* upon the admission of *three suppositions* more. For the Letter of *April 18th* does not refer to a *decree* mentioned in a *Letter*; nor does it so much as refer to a *Letter*. But admitting that it refers to a *decree* mentioned in a *Letter*; yet it *cannot* refer to the *decree* mentioned in the *Letter of May 5th*, except we farther *suppose* its date *April 18th* to be corruptly read instead of *May 18th*. So that, if the *Vindicator's* whole reasoning is reduced to its utmost simplicity, it consists of *two suppositions*, which are rendered barely *possible* by admitting *four suppositions* more; and this *sextuple* alliance of suppositions is opposed to a *direct* and satisfactory evidence of the Letter dated *May 5th* referring to the Letter of *April 18th*.—I would ask too, if *Cicero's* Letter of *May 5th* refers to the approbation, which he gave to *Brutus's* measure in *some Letters now lost*; why the Letter of *May 18th* (according to the *English* reformation of *dates*) should *formally* give the approbation to the same measure, and yet make no reference to any *former* Letters on that head? And *how many* times must *Cicero's* approbation of this measure be signified in *the Letters now lost*, when it is amply signified in *two* of the *few scattered* Letters which are *still remaining*? Lastly, the Letter of *April 18th* first opens the scene of *Brutus's* prosecuting the war against *Dolabella*. Here *Cicero* receives “ the most wonderful advices of
“ *Dolabella's* sending five cohorts into the *Chersonese*, at a time when he was so little apprehend
“ ed to be turning upon *Europe*, that he was re-
“ ported

“ported to be flying away even from Asia [x].” The scene is continued on *Cicero’s* side in the Letter of May 5th, and closed by *Brutus’s* answer of May 16th; where *Brutus* advises, upon the authority of *Trebonius’s* own Lieutenant, though contrary to real matter of fact, that *Dolabella* was intirely routed and put to flight [y].

XVII. WE are agreed, that for the true *Brutus* to make mention of *Antony’s* flight, *Brutus’s* eruption, and the victory of the Roman people, before he heard of the victory of *Modena*, is a thing impossible. I have shewn, that a Sophist, writing in the name of *Brutus*, might by an easy mistake make mention of them, when he would express

[x] Literae mihi redditae sunt a te plenae rerum novarum, maximeque mirabiles; Dolabellam quinque cohortes misisse in Cherronesum. Adeone copiis abundat, ut is, qui ex Asia fugere dicebatur, Europam appetere conetur? Ep. ad Brut. ii. 2.

[y] Ab Satrio legato C. Trebonii reddita est mihi epistola, — Dolabellam caesum fugatumque esse. Ep. Brut. i. 6. I look upon this Intelligence as a contrivance of the Sophist, to excuse his not pursuing this matter any farther. It is certain at least, that the true *Cicero* had not received it from *Brutus*, or any body else, after the beginning of *July*. Ep. Fam. xii. 9, 10. *Lentulus*, who was in *Asia*, and sent particular accounts of *Dolabella’s* motions,

expresses his hopes, that he would be routed, in his Letters dated the 2^d of *June*. Ep. 14, 15. And *Cassius* hopes to reduce him without a battle on the 13th of that month. Ep. 13. The suspected *Brutus* had sent another apocryphal piece of news, of like kind: Compluribus autem scripsisti Dolabellam a Rhodiis esse exclusum. Ep. ad Brut. ii. 4. Whereas the same *Lentulus* tells us, that, on the contrary, he himself, together with the fleet which he had provided for the defence of the Republic, was excluded by the *Rhodians*; who would not believe, that *Dolabella* was adjudged an enemy to the State, and had sent two deputations to him, and maintained a good correspondence with him. Ep. Fam. xii. 14, 15.

the

the *supposition* only of the victory as *future* in the plan of correspondence. That the Letter-writer did *intend* to express a *supposition* of the victory as *future*, I have proved, first, from the *date* of Cicero's answer, which is *two days before* the news of the victory arrived at Rome; and *dates* may be *urged* where there is no *reason to suspect them*: Secondly, from the *contents* of Cicero's answer, which implies that Brutus intimated his resolution of *staying at Apollonia till he heard of the victory*, and *then of marching into the Chersonese*: And, lastly, from Cicero's referring, in a *subsequent* Letter, to the very same answer, *as written before the news of the victory had arrived at Rome*. The Vindicator cannot oppose the *date*, but on principles which will set aside *all dates*; for the special *fact*, mentioned in the Letter, cannot be urged against the *date* without begging the question. To the *other* proofs nothing is opposed, but a *translation*, which destroys the *true sense* of the Letter, and a licentiousness of *supposing*, which will evade all *historical evidence*.

AGAINST the Letter dated *April 18th*, that is *two days before* the news of the same victory arrived at Rome, I farther alledged, that it contained a *false fact*; "since Cicero, where he approves of
 " Brutus's design to march against Dolabella, makes
 " mention of a *former provision*, which was made
 " by his means, for Brutus's having a discretionary
 " power of prosecuting the war against Dolabella
 " [z]: whereas the *true Cicero* declared a quite

[z] Valde delector, *me ante* belli gerendi. Ep. ad Brut.
providisse, ut tuum iudicium li- i. 2.
 berum esset cum Dolabella

" contrary

“ contrary opinion in the Senate, upon a reason
 “ which must be subsisting till the event of *Mode-*
 “ *na*, viz. that they might have a resort from *Mo-*
 “ *dena* to *Brutus*’s forces in *Greece*, or that the ar-
 “ my before *Modena* might be reinforced from
 “ thence. On which account the *true Cicero* pro-
 “ posed a decree for granting the commission of the
 “ war against *Dolabella* to *C. Cassius* only, object-
 “ ing to *Brutus* by name [*a*].

THE Vindicator so far allows the whole argu-
 ment, as to confess that the *fact*, which I alledged
 from the Letter, *shews the date to be false* [*b*]; and
 consequently it *shews* the Letter to be *spurious*, if
 the date is *true*; nor can it be pleaded against the
 date without *supposing* the Letter to be *genuine*.
 But I farther shewed, that the Letter-writer *might*,
 consistently with the *date* of his Letter, and most
 probably *did* refer to a *former provision*, which, ac-
 cording to his ideas of the matter, was sufficient for
 the purpose of *Brutus*’s *discretionary power to pro-*
secute the war against Dolabella. For the *true Ci-*
cero, where he decrees the commission of that war
 to *C. Cassius* only, makes a declaration, “ that if
 “ *Brutus* should think it for the public good to
 “ prosecute the war against *Dolabella*, he would do

[*a*] Quis igitur is est? Aut
M. Brutus, aut *C. Cassius*, aut
 uterque. Decernerem plane,—
 ni *Brutum* colligassemus in
 Graecia, et ejus auxilium ad
 Italiam vergere, quam ad A-
 siam maluissimus: non [solum]
 ut ex ea acie respectum habe-
 remus, sed ut ipsa acies subsi-

dium haberet etiam transmari-
 num. — Censeo — Senatui
 placere, *C. Cassium* — bello
P. Dolabellam terra marique
 persequi. Phil. xi. 11, 12. E-
 pist. ad *C. Middlet.* p. 219—
 221.

[*b*] Ep. of *Cic.* p. 93. not. 9.

“ it

“ it *at his own discretion*, without the Senate’s decree; for both *Brutus* and *Cassius* were a Senate to themselves [c].” The *true Cicero* likewise, in a Letter to *Cassius*, acquaints him with the bold declaration, which he made to the Senate in his name, “ that he would not wait the Senate’s decrees, but act *at discretion* in defence of the Republic [d].” This authority of the *true Cicero*, which was both declared to the Senate and afterwards urged by himself in a Letter to *Cassius*, might be easily construed by a *Book-politician* into as ample a commission as a *Decree* of the Senate or the *Letter* of a Consul [e]. Accordingly we find, that it was actually so construed either by the same Sophist, or his younger Brother and Imitator. For we find him telling *Brutus*, in a Letter dated *April 13th*, or *five days* before the date of the Letter under present consideration; “ that though he could not carry his vote in the Senate, for *C. Cassius*’s having the command of the war against *Dolabella*; yet he made a bold declaration there, that *Cassius* was already possessed of that command, even without the Senate’s decree, and that his declaration extended to *Brutus* too;” upon which he promises to send him his Speech [f].—On this

[c] Quod si — Brutus — intellexerit, plus se Reip. profuturum, si Dolabellam persequatur, — aget ipse per sese; — nam et Brutus et Cassius multis jam in rebus ipse sibi Senatus fuit. Phil. xi. 11.

[d] Promissi enim et prope confirmavi, te non expectasse nec expectaturum decreta no-

stra, sed te ipsum tuo more Remp. defensurum. Ep. Fam. xii. 7.

[e] Sed Consules neque Senatus consulto, neque literis praeceperant mihi quid facerem. Ep. Fam. x. 31.

[f] Et quidem audacter dicebam, sine nostro Senatus consulto jam illud cum bellum ge-

head

head I took notice of another *false fact*, which is contained in the Letter of the *suspected Cicero*, dated May 5th. For *Cicero* expressly tells *Brutus*, “ that “ he advised to him the measure of prosecuting the “ war against *Dolabella*, at the time when their only refuge was in his camp, and their recruits of “ safety in his army ;” *i. e.* before the news of the battle before *Modena* arrived at *Rome* [g]. This, we have seen, is directly contrary to the judgment of the *true Cicero*.

XVII. WE are agreed, that the *true Cicero*, before he heard the news of the battle before *Modena*, could not tell *Brutus* of his having *formerly provided* for him a discretionary power of prosecuting the war against *Dolabella*. I have shewn, that a Sophist, writing in the name of *Cicero*, might very well do it by the maxims of his own *visionary* politics. The *fact* then, which, on my hypothesis, is consistent with the *date* of the *suspected* Letter and probable *in itself*, cannot be urged against the *date* without begging the question : and all the direct evidence, which evinces the *date* of the Letter to be agreeable to the *intention* of the Letter-writer, must, by the Vindicator’s own confession, evince the Letter to be *spurious*.—Again, the *true Cicero* was utterly averse to the measure of *Brutus*’s prosecuting the war against *Dolabella* before the event of *Modena*; the *suspected Cicero* declares in *express words*, that he advised the measure to *Brutus* before that event. To this the Vindicator answers nothing.

rere. De te etiam dixi tum Brut. ii. 4.
quae dicenda putavi. Haec ad [g] Ep. ad Brut. i. 5.
te oratio perferetur. Ep. ad

I cannot

I cannot dismiss the subject of the Senate's *decree*, which is mentioned in the Letter dated *May 5th*, and said to have been made in favour of *Brutus*, at *Cicero's* motion, on the *27th* of *April*; without remarking upon the *form* of it, that it betrays the Sophist's ignorance of the elegant conciseness of truly *Classical* decrees, and his laborious endeavour to spin out a long period. *Cicero* assents to *Servilius's* motion, "for granting commissions of the war against those who were adjudged enemies to the State; and particularly for granting to *Cassius* the commission of the war against *Dolabella*;" to which he adds an appendix, in favour of *Brutus*, conceived in these words; "that *Brutus* also should prosecute the war against *Dolabella*, if he thought it convenient and of benefit to the Republic; but if he could not do it conveniently for the Republic, or if he thought it would not be for the benefit of the Republic, then he might continue with his army where he was [g]." I presume the *true Cicero* would hardly overrate his *part of the decree* with so many specialities, nor even express the two cases, to the same effect, of *Brutus's* judging it for the public service, and of his *not* judging it for the public service, to pursue *Dolabella*; but content himself with decreeing, "that *Brutus* might pursue *Dolabella* at his discretion [b]." But it is ob-

[g] Decrevi hoc amplius, ut tu, si arbitrare utile eque Rep. esse, persequere bello Dolabellam: si minus id commodo Reip. facere posses, si non existimares e Rep. esse, ut in iisdem locis exercitum contine-

res. Ep. ad Brut. i. 5.

[b] Si — Brutus — intellexerit plus se Reip. profuturum, si Dolabellam persequatur, quam si in Graecia maneat, — Phil. xi, 11.

fervable, that the Sophist falsifies the matter of the decree, which was *really* made by the Senate in this affair, and expressed in such terms as intirely to supersede the use of *Cicero's* clause in favour of *Brutus*. The Senate decreed, “ that *Brutus* and *Cassius* should be invested with the legal government of the Provinces of *Macedonia* and *Syria*, “ which they had respectively seized without proper authority ; and with the extraordinary government of all the Provinces beyond the seas “ [i].” But if the concern of *Dolabella* was specially appointed by the Senate, it was still committed to *C. Cassius* only [k].

As a still farther ground of *suspicion* upon the Sophistic *Brutus*, I alledged, that he does not only *presume*, as we have seen, of his Brother *Decimus's* eruption out of *Modena* before that event happened, but, in answer to *Cicero's* first advices concerning the victory of *Modena*, expresses himself in these words ; “ How great joy it gave me, to hear of “ the affairs of our *Brutus* and the *Consuls* (now he was told, that both the *Consuls* were killed) it is easier for you to imagine than for me to express. “ I applaud and rejoice on many accounts, but particularly on this ; that *Brutus's* eruption was not “ only salutary to himself, but of the greatest service to obtaining the victory.” Where I objected, first, that *Brutus* speaks of the eruption of

[i] Bruto Cassioque provinciae, quas jam ipsi sine ullo S. C. occupaverant, decretae. — Omnia transmarina imperia eorum commissa arbitrio. Paterc. l. 2. c. 62.

[k] Τῷ Βρούτῳ τῷ Μάρκῳ τὴν Μακεδονίαν, τῷ τε Κασσίου τὴν τε Συρίαν καὶ τὸν πόλεμον τὸν πρὸς Δολαβέλλαν ἐνχείρισαν. Dion. Rom. Hist. p. 317.

Decimus before he had heard of it: Secondly, that he declares it to have been of the greatest service to obtaining the victory of *Modena*; whereas in reality it was of no service at all [l].

First, *CICERO*'s advices, to which *Brutus* answers within twenty-three days, were sent the *second* day after the express, which brought the news of the victory, arrived at *Rome*; but the same express signified, "that *Decimus* continued still blocked up in "*Modena* [m]." Here the Vindicator allows in effect, that *Cicero* could not advertise *Brutus* of the eruption of *Decimus* by the *first* advices which he sent him concerning the victory; but, according to his custom, entrenches himself in a *supposition*, that *Brutus*, who *returns an answer* to those advices only, might, since the date of *Cicero*'s Letter, have heard more of that most important event, either from *Cicero*, or some body else [n]. That I may force this entrenchment therefore, and cut off all possibility of evasion for the future, I affirm, that the *suspected Cicero*'s own advices consist of *some particulars*, which he could not have *heard of* at the time when he pretends to write them. The Vindicator kindly informs me, that *there were two several victories obtained against Antony before Modena: in the first*

[l] Quanta sim laetitia affectus, cognitis rebus Bruti nostri et Consulium, facilius est tibi existimare, quam mihi scribere. Cum alia laudo et gaudeo accidisse, tum quod Bruti eruptio non solum ipsi salutaris fuit, sed etiam maximo ad victoriam adjumento. Ep. Brut. i. 4. Ep. ad C. Middlet. p.

217, 18.

[m] Ep. ad Brut. i. 3, 4. Si, ut ex literis, quae recitatae sunt, P. C. sceleratissimorum hostium exercitum caesum fusumque cognovi; sic—D. Brutum egressum jam *Mutina* esse cognovissem: —Phil. xiv. 1.

[n] *Mid. Pref. Diff. p. 85.*

Pansa was mortally wounded, but Antony's troops defeated by Hirtius: in the second Antony was utterly routed, though Hirtius himself was killed [o]. The first victory was obtained on the 15th of April, the news of which arrived at Rome on the 20th, in five days from Modena, the usual time for performing that journey by an expeditious Courier [p]. Now the suspected Cicero, in a Letter dated April 22^d, makes a slight mention of both these victories; whence it became necessary to assert, that the second victory happened A DAY or TWO after the other, and that the news of it reached Rome at the same distance of time, i. e. on April 22^d [q]. But though there was, very likely, the same distance of time between the news of the first and second victories reaching Rome, that there was between the events of the victories themselves; yet the second victory did not happen till SEVERAL DAYS after the other. M. Antony objected to Octavius, that he ran away from the first battle, and did not so much as make his appearance till after two days [r]: nay, the suspected Cicero himself very innocently tells us, that there was an interval of a few days between the two battles [s]. It is farther manifest, from the date of the account, which Galba sent to Cicero, of his own con-

[o] *Mid. Pref. Diff.* p. 84.

[p] *Mid. Ep. of Cic.* p. 60. not. 6. Lupus noster cum Romam sexto die Mutina venisset, postridie me mane convenit. *Ep. Fam.* xi. 6.

[q] *Mid. Pref. Diff.* p. 84.

[r] Priore [proelio] Anto-

nus eum fugisse scribit, ac sine paludamento equoque post biduum demum apparuisse. *Suet.* in Aug. c. 10.

[s] Hirtius quidem in ipsa victoria occidit, cum paucis diebus magno proelio ante vicisset. *Ep. ad Brut.* i. 3.

duct in the *first* battle, that the *second* did not happen till after *April 20th*, that is, not sooner than the *sixth* day after the *first* battle [*t*]. Again, the *suspected Cicero*, in his Letter dated *April 22^d*, makes a *slight mention* of the death of *both* the Consuls [*u*]. Now *Pansa* did not die till a *few days* more after the *second* battle, in which *Hirtius* was killed [*x*]. It appears from *Decimus's* own account, that *Pansa* did not die at *Bologna* [*y*] till the *second* day, at least, after *Hirtius* was killed; and therefore the *suspected Cicero* must write of the death of *Pansa* from *Rome* at least as soon as *Pansa* was actually dead at *Bologna*. Nay, there is reason to believe, that the interval between the *two victories* was considerably greater than I have represented; for *Decimus*, whose particular concern it was, sends the news of *Pansa's* death in a Letter dated *April 29th*, when he was got only to *Regium Lepidi*, that is, about eighteen *English* miles from *Modena*, in the pursuit of *Antony* [*z*]. Will now our Doctor of dates again

[*t*] Res bene gesta est. A. d. xii Kal Maii, ex castris. Ep. Fam. x. 30.

[*u*] Consules duos bonos quidem, sed duntaxat bonos, amissimus. Ep. ad Brut. i. 3.

[*x*] Hoc bello cum Hirtius in acie, Pansa paullo post ex vulnere periissent,—Suet. in Aug. c. 10. Consulium autem alter in acie, alter post paucos dies ex vulnere mortem obiit. Paterc. l. 2. c. 61.

[*y*] Hic dies hoc modo abiit. Postero die mane a Pansa sum arcessitus Bononiam. Cum in itinere essem, nuntiatum mihi

est eum mortuum esse.—Biduo me Antonius antecessit. Ep. Fam. xi. 13. Hence it appears, that the Dr. mistakes the matter in telling us, that the Consul Pansa died the day following (the second action before Modena) of his wounds at Bologna. Life of Cic. v. ii. p. 428.

[*z*] Pansa amisso, quantum detrimenti Resp. acceperit, non te praeterit. Nunc—prospicias oportet, ne inimici nostri, Coff. sublatis, sperent se convalescere posse. Ep. Fam. ib. 9.

apply

apply his medical hand to the cure of the *date* of our suspected *Cicero's* Letter, which makes a slight mention of the death of both the Consuls; and *reduce it to a conformity with its facts*, by the easy change of *April 22^d* to *May 2^d*. When his hand is in, he may extend the salutary operation to *Brutus's* answer, and either rescind or rectify the whole mass of these *corrupted dates* [a]. It is expected that he should speak out on this head, and tell us,

XVIII. How *Cicero*, in a Letter dated *April 22^d*, could make a slight mention of the *two victories*, obtained before *Modena*, and of the death of *both* the Consuls; when the news of the *first* victory arrived at *Rome*, *April 20th*, in *five days* from *Modena*, the time for performing that journey by an *expeditious* Courier; and when there was an interval

[a] The *suspected Cicero's* next Letter likewise, dated *May 5th*, acquaints *Brutus* with a decree of the Senate of *April 27th*, by which *Ventidius* was declared an enemy, for joining *Antony* in his flight towards the Alps, with three Legions. Ep. ad Brut. i. 5. Mid. Ep. of Cic. p. 68. not. 2. But *D. Brutus*, who was pursuing *Antony* at a small distance from him, very well knew, on *April 29th*, that *Ventidius* was far from joining *Antony*. Utrumque me praestaturum spero, ne aut *Ventidius* elabatur, aut *Antonius* in Italia moretur. Ep. Fam. xi. 9. He writes the first advices of the junction in a Letter dated *May 5th*. Hoc accessit

manus *Ventidii*, quae trans *Appenninum* itinere facto difficilimo ad *Vada* pervenit, atque ibi se cum *Antonio* conjunxit. Ep. 10. At the time of the junction *Decimus* was only at the distance of *thirty miles* from *Antony*, and before *Antony* had arrived at the *Vada*, where he was joined by *Ventidius*, *Decimus* says of him; *Itinera fecit multo majora fugiens, quam ego sequens*. Ep. 13.—*Quaere*, How could *Ventidius*, on the *27th* of *May*, be judged an enemy by the Senate of *Rome*, for having joined *Antony*? Or how could even *Cicero* write of this junction in a Letter dated *May 5th*?

between the *two victories* themselves of a *few days*, by *Cicero's* own confession, and of *five days* at the least, by *Galba's* account, and, in all probability, of a *few days* more; and, lastly, when the Consul *Pansa* died the *second* day, at the least, after the *second* victory, by the account of *Decimus*, who writes not of *Pansa's* death till *April 29th*, though he desires to succeed to the Consulship in his place.

Secondly, THE Sophistic *Brutus* declares the eruption of *Decimus* to have been of the greatest service to the obtaining of the victory before *Modena*; whereas in reality it was of no service at all.—The Vindicator affects to make me argue, *that Decimus could not make any such eruption, as is here pretended, only because Antony voluntarily quitted the siege of Modena* [b]; and he gravely goes on to shew, that *Antony's army was cut to pieces*, and therefore his *flight* could not consist with a *voluntary retreat* [c]. I observed, that a great part of *Antony's* army was indeed *cut to pieces* [d]; but still maintain, upon the credit of old *Homer*, that *Antony* might *voluntarily quit the siege*; and, upon the report of *Asinius Pollio* and *Appian*, that he *actually did so* [e]. The opportunity of a *deliberate retreat* was given him by the death of *Hirtius*, the one General, and by the retreat of *Octavius*, the other

[b] *Mid. Pref. Diff.* p. 85.

[c] *Ib.* p. 86.

[d] *Ep. ad C. Middlet.* p. 219. Revertor—ad Antonium, qui ex fuga cum *parvulam manum* militum haberet inermium,—*Ep. Fam. xi. 10.* Equitatum habet magnum;

nam omnis ex proelio integer decessit. *Ib. x. 34.*

[e] —Εκὼν ἀέκοντι δὲ δύνω. Haec mihi scribuntur ex Gallia —et nuntiantur,—Antonium turpiter Mutinae obsessionem reliquisse. *Ep. Fam. x. 33.* Appian. *De bell. civ.* p. 573.

General,

General, from *Antony's* camp; and it was taken by him the morning after the battle, when that measure was debated in a council of war, the two surviving Generals having continued all night under arms, and in their separate camps [*f*]. That *D. Brutus* kept himself confined within the walls of *Modena* during the whole action, and *did not in the least contribute to the obtaining of the victory*, is evident from the express testimony of *Dio* [*g*]; and the Vindicator himself, when he relates, on the sole authority of the *suspected* Letters, “ that *D. Brutus*, taking the opportunity to sally out of the “ town at the head of his garison, *helped greatly “ to determine and complete the victory;*” confesses at the same time, that “ some Writers give a different relation of this action [*b*].” Indeed *all Writers* of any account, both *Greek* and *Latin*, agree in giving this *different relation*, and in ascribing to *D. Brutus* no other concern in the whole *action*, than *the obtaining of his liberty* by the event of it [*i*]; nor is any evidence produced to disprove my assertion, “ that this same eruption of *Brutus*, “ during the engagement, is not taken notice of by

[*f*] Appian. ib. p. 572.

[*g*] Τοῖς στραιώταις τοῖς συμπολιορκεθεῖσιν οἱ [Δεσίμω] καὶ ἑπαίνους καὶ ὅσα τοῖς τῷ Καίσαρος πρότερον προσπήγγελλο, καίπερ μηδὲν εἰς τὴν νίκην συμβαλομένοις, ἀλλ’ ἀπὸ τῶν τειχῶν αὐτὴν ἰδῶσι, δοθῆναι ἔγνωσαν. Dion. Hist. Rom. p. 317.

[*b*] Life of *Cic.* v. ii. p. 427, 8.

[*i*] De proelio facto, Bruto-

que et *Mutina obsidione liberatis* audiui. Ep. Fam. x. 11. Quis erat qui quidquam timeret profligato illo, *te liberato?* xi. 18. *D. Brutus obsidione liberatus.*—*D. Bruto, quod alieno beneficio viveret, decretus triumphus.* Paterc. l. 2. c. 61, 2.—*D. Bruto obsidione Mutinensi a Caesare liberato.* Liv. Hist. Epit. l. 119.

“ any Writer, but the author of the *suspected* Letters [k].” The passage of the *true Cicero*, which I pointed out, declares to *D. Brutus*, a considerable time after the *second* victory of *Modena* had been heard of at *Rome*, “ that his famous eruption out of *Modena*, from the account of *Antony’s* flight and his army cut to pieces, gave the assured expectation of a decisive victory [l];” but as it does not in the least intimate, that *Brutus’s* eruption helped to effect the flight of *Antony*, or the cutting his army to pieces; so *Brutus’s* eruption had given the expectation of a decisive victory before the event of *Modena*, and might still with greater reason give it, if *Brutus* with his *intire* and fresh forces had pursued, as was expected from him, *Antony’s* few *barrassed* and *naked soldiers*. But *Brutus* was so far from bearing a part in the action, that he was not in the field of battle, nor informed of the death of *Hirtius*, or the resolutions of *Octavius* till the next day. The *second* day after the action, being told, in his journey to *Bologna*, that *Pansa* was dead there, he returned to his camp, and therefore suffered *Antony* to get the start of him by two days [m]. It is indeed something surprizing,

[k] Ep. ad C. Middlet. p. 219. *Cicero*, *Brutus’s* correspondent, is in the same story concerning the eruption of *Decimus*. Erat victrix Respublica, caesis Antonii copiis, ipso expulso a Bruto. Ep. ad Brut. i. 10.

[l] Tantam spem attulerat exploratae victoriae tua praeclara Mutinâ eruptio, fuga An-

tonii, conciso exercitu, — Ep. Fam. xi. 14. Res sic se habebat, ut totius belli omne discrimen in D. Bruto positum videretur; qui si, ut sperabamus, erupisset Mutina, nihil belli reliqui fore videbatur. xii. 5.

[m] Sequi confestim Antonium his de causis — non potui. — Hirtium perisse nesciebam; Caesari non credebam prius-

that

that a professed Writer of the *History of Cicero's times* should argue from *Cicero's* calling the eruption of *Brutus* famous, that it was an *action of vigour and importance towards determining the victory* [n]; when he could read in all the Historians, how the Senate is stigmatized for shamefully decreeing to *Brutus* a *triumph* on account of this *famous eruption*, though it was an *action of no vigour and importance*; and for almost intirely neglecting *Octavius*, who behaved very gallantly in the *second action*, and purchased to *Brutus* his *liberty* by it [o].

XIX. I have proved, against the exprefs assertion of the Sophistic *Brutus*, the relation of *Cicero's* Biographer, and the *English* commentary upon the *suspected* Letters, that the eruption of *Decimus* out of *Modena* was of *no service* to the obtaining of the victory there. For *Antony* quitted the siege of *Modena* by deliberate advice, though much against his will, as is declared by *Pollio* and *Appian*. On the other hand, that *Decimus* was not present in the *action of the field*, is clear from *Appian's* account, expressly asserted by *Dio*, and intimated by the language of all the best Writers, who, with regard to *Decimus's* concern, speak of his *liberation*, and nothing else. The same is evinced, beyond all exception, by *Decimus's* own journal, which manifests

quam convenissem et collocutus essem. *Hic dies* hoc modo abiit. Postero die mane a Panfa sum arcessitus Bononiam.— Recurri ad meas copulas.— Biduo me Antonius antecessit. Ep. Fam. xi. 13.

[n] *Mid. Pref. Diff.* p. 86.

Conf. Pref. to Life of Cic. p. 19.

[o] Sequenti [proelio] satis constat, non modo ducis, sed etiam militis functum munere. Suet. in Aug. c. 10. Vide Pat. terc. l. ii. c. 62. Liv. Hist. Epit. l. 119.

his

his ignorance of the several events of the action, especially of *Hirtius's* death, till the morning after the victory was obtained. And as the Vindicator confesses, that the relation of *some Writers* differs from his own in this point, so he has not been able, though he was challenged to do it, to alledge *one antient Writer*, who agrees with him. For to make the *true Cicero's* complimentary description of an eruption *as famous and giving the assurance of a future decisive victory over Antony*, to be an argument of its having done *the greatest service to the obtaining of the past victory before Modena*, betrays some want of *scholastic* meditation, as well as mistake about both *Cicero* and his *times*.

THE same Letter, dated *April 22^d*, which makes a slight mention of the two victories obtained before *Modena*, presents us likewise with the very form of the Senate's decree; by which "all are adjudged enemies to the State, who had followed the sect of *M. Antony* [*p*]." Here I ask, in the language of the *true Cicero*; Did the Vindicator ever see such a decree in his life [*q*]? A decree, unnaturally figurative in the expression, but in the matter of it quite impracticable, since it does not so much as require an *overt-act* for a man's being adjudged a *public enemy*, and in reality reputes all to be enemies, who had ever been of *M. Antony's* party, whether in the field, in the Senate, or at home. On a former occasion, the Senate, at the motion of the *true Cicero*, with a more just and legal precision, made a decree

[*p*] Hostes autem omnes judicati, qui *M. Antonii* sectam secuti sunt. Ep. ad Brut. i. 3.

[*q*] Quando ita decerni vidisti? Phil. x 2.

concerning

concerning those “ who *had been*, who *are*, or who “ *shall be in Antony’s camp* [r];” and this was the purport of the very decree, which the Sophist hints at, as made after the victory of *Modena* [s]. It may not perhaps be too great presumption to attempt an account of the manner in which he came by his fictitious *Senatus consultum*, and of the use for which he intended it. The sentiment of it seems to have been taken from *Dio*, and the expression from *Suetonius*, where both of them are relating the events of the battles before *Modena* [t]; and the word *secta* was particularly suitable to the Sophistic purpose of laying a foundation for an epistolary controversy between *Cicero* and *Brutus* in the ambiguous sense of the Senate’s decree. *Cicero* argues, that *C. Antony*, now *Brutus’s* prisoner, is included in the description of the *Partizans of M. Antony* [u]: *Brutus* dares not interpret the decree in that extent, nor can be prevailed upon to use *C. Antony* as an enemy by his own private advice [x]. The *Vindicator*, as one would expect, closes with

[r] Qui cum *M. Antonio* sunt, qui ab armis discesserint, — iis fraudi ne sit, quod cum *M. Antonio* fuerint. — Si quis post hoc S. C. ad *Antonium* profectus fuerit. Phil. viii. in fine. — His fraudi ne esset, quod cum *Antonio* fuissent. Nonius in voc. *Aditus*.

[s] *Antonius* — hostis a Senatu, cum omnibus qui intra praesidia ejus erant, judicatus est. Liv. Hist. Epit. l. 119.

[t] Τῆς τε συνεξέλασθῆναι αὐτῷ πάντας ἐν τε πόλεμίων μοίρᾳ ἐνόμισαν. — Dion. Hist. Rom. p.

317. *Suetonius* says concerning *Octavius*, Quo magis poenitentiam prioris sectae approbaret, — meaning the change of his way of thinking in politics. In Aug. c. 12.

[u] Itaque id *Senatus consultum* plerique interpretantur, etiam ad tuos siue captivos siue dedititios pertinere. Ep. ad Brut. i. 3.

[x] Quod — nondum *Senatus* censuit, — id arroganter non praejudico, neque revoco ad arbitrium meum. Ep. Brut. ib. 4.

Cicero’s

Cicero's opinion, and is positive, that *C. Antony* was included in the general vote against all the adherents of that party [y].

WE proceed to some instances of *contradiction*, in the Letters, not only to *true History*, but even *between themselves*; and, to speak my mind freely, the Letters of the *two* books, as they are distinguished in the *Latin* editions, could hardly come from the *same* hand; the Letters of the *second* book being more mean in composition, trifling in conception, and faulty in their matter, than the Letters of the *first*; besides that they are inconsistent with them in numerous places. The *English* Editor however should have remembered their *right of immemorial possession*, and let them continue in a place more suitable to their later origine, where they were *jumbled together confusedly and read with little or no regard*. The first instance of contradiction between the Letters is, “ That *Brutus* declares himself in want of
“ both money and *recruits*; when it appears from
“ his own account, that he had *five Legions*, the
“ *best body of Horse*, and the *greatest number of Aux-*
“ *liaries*; and from *History*, that his force in *Ro-*
“ *man* Legions was even greater than he represents
“ it [z].” Here the Biographer observed, that *though Brutus intimated nothing in his public Letters, but what was prosperous and encouraging, yet*

[y] *Mid. Pref. Diff.* p. 95.

[z] Duabus rebus egemus, Cicero, pecunia et *supplemento*. Ep. Brut. ii. 5.—Cum tu eo quinque legiones, optimum equitatum, maxima auxilia haberes. Ep. ad Brut. i. 2.—A

quo [Bruto] insperatum et repentinum Reip. praesidium legionum, equitatus, auxiliorum magnae et firmae copiae comparatae sunt. Phil. x. 11. See p. 240.

in his private accounts to Cicero, he signified a great want of money and recruits, and begged to be supplied with both from Italy, especially with recruits: to which I replied, that this was no solution of the knot; since Brutus signified in his private accounts to Cicero, that he had five Legions, the best body of Horse, and the greatest number of Auxiliaries [a]. But now he, for his part, never dreamt of any knot in the case, nor can see any, but in my imagination, who fancy, that five Legions, with an excellent body of Horse, was a force sufficient to support the liberty of Rome [b]. And I, for my part, never dreamt, or do now fancy, that Brutus's force was sufficient to support the liberty of Rome; but it was abundantly sufficient for Brutus's purposes, as was fancied by the suspected Cicero himself, who had been informed by him, at the very time when the recruits were wanted, that C. Antony was reduced into his power; and who highly undervalued the five Cohorts, which Dolabella had since sent into the Chersonese, in comparison of Brutus's forces [c]. The Vindicator, who by his acquaintance with Sophists has learnt the art of answering all objections by changing the state of the question, urges, that when D. Brutus, who had ten Legions, was joined with Plancus, who had four, with the strongest body of Horse; yet they both earnestly demanded supplies [d]. But he well answers his own argument in far-

[a] Life of Cic. v. ii. p. 372.
Ep. ad C. Middlet. p. 223.

[b] Mid. Pref. Diff. p. 87.

[c] Antonius adhuc est nobiscum. Ep. Brut. ii. 5.—

Quinque autem cohortibus quid
senam facturum arbitratus est,
cum tu eo quinque legiones—
haberes? Ep. ad Brut. i. 2.

[d] Pref. Diff. p. 87.

ther telling us, that *they had great reason to press that demand*; since Antony, after his union with Lepidus, marched into Italy with seventeen Legions and ten thousand Horse, and left six Legions still behind him in Gaul [e]. Now our Brutus has five complete Legions, chiefly veteran, not newly raised, the best body of Horse, and the greatest number of Auxiliaries; and yet presses his demand of supplies at a time—when he is possessed of all Macedonia, has not one enemy in Greece, not even Dolabella's Cohorts in the Chersonese;—when the liberty of Rome likewise is supported in Italy, against M. Antony's three Legions, with more than three Legions of veteran soldiers under Hirtius and Octavius, with all Decimus's forces now blocked up in Modena, and with the accession of Pansa's four Legions of new levies:—when it is supported abroad with seven Legions under S. Pompey in Spain; with ten Legions, concerning which our Brutus was well informed, under Cassius in Syria; with four Legions, as good as any in the Empire, and one Legion more, under Plancus, and with seven Legions more under Lepidus (which two Generals were now in Gaul, and whose forces afterwards marched with Antony into Italy) with three Legions under Pollio in Spain, and with veteran Legions under Cornificius in Afric [f]. —In short, when the liberty of Rome is supported
 “ by the zeal and activity of all Italy and Gaul, and
 “ by the forces, vigour, and good affection of the

[e] *Mid. Pref. Diff.* p. 88.ii. 5. *Fam. x* 8. Appian. *De*[f] *Phil. xiv.* 9, 10. *Ep. bell. civ.* p. 580. *Plut. in An-*
Fam. x. 30.—*Ep. ad Att. xvi.* ton. p. 923. *Ep. Fam. x.* 32,
 4. *Fam. xii.* 13. *Ep. Brut.* 24.

“Governors of all the Provinces from the northern
 “extremity of *Greece*, as far as *Ægypt*; in a war,
 “which was maintained, not by a contention of
 “parties in the Republic, but by an incredible
 “consent and unanimity of all parties against *Anto-*
 “*ny*, the single and common enemy of them all,
 “who could command only three towns in the
 “whole world [g].” Here it is worth observing,
 that the *true Cicero*, in his *Philippic* Orations, dis-
 tinguishes the civil war with *Antony* from the other
four, which formerly happened within *his own memo-*
ry, in that “it was waged, not only in no distra-
 “ction and party-division of the body of the peo-
 “ple, but with the greatest agreement and an in-
 “credible unity of resolution *to defend the common*
 “*cause of the Republic* [b];” whereas the *suspected*
Cicero, through an ignorant imitation of the *true*,
 mistakes the very point of *distinction*, and tells *Bru-*
tus, “that of all the civil wars, which happened

[g] Tria tenet [Antonius]
 oppida toto in orbe terrarum :
 habet inimicissimam Galliam :
 eos etiam, quibus confidebat,
 alienissimos Transpadanos : Ita-
 lia omnis infesta est : exteræ
 nationes a prima ora Græciæ
 usque ad Aegyptum optimo-
 rum et fortissimorum civium
 imperiis et præfidiis tenentur.
 Phil. x. 5. A prima enim ora
 Græciæ usque ad Aegyptum
 optimorum civium imperiis mu-
 niti erimus et copiis.—Præ-
 ter Bononiam, Regium Lepidi,
 Parmam, totam Galliam te-
 nebamus studiosissimam Reipu-
 blicæ.—Firmissimus Senatus:—

Populi vero R. totiusque Italiae
 mira consensio est. Ep. Fam.
 xii. 5.

[b] Hoc bellum quintum ci-
 vile geritur (atque omnia in
nostram aetatem inciderunt) pri-
 mum, non modo non in dissen-
 sione et discordia civium, sed
 in maxima consensione incredi-
 bilique concordia. Omnes e-
 nim idem volunt, idem defen-
 dunt, idem sentiunt.—Nos deo-
 rum immortalium templa,—pe-
 nates, aras, focos, sepulchra
 majorum : nos leges, judicia,
 libertatem, conjuges, liberos,
 patriam defendimus. Phil. viii.
 3.

“ in

“ *in his memory*, this against *Antony* was the only
 “ one, in which if they should be conquerors, he
 “ doubts *whether they were likely to have any Repu-*
 “ *blic left*; but if they should be conquered, they
 “ were sure to have none [*i*].”

XX. THE contradiction in *Brutus's* earnestly demanding supplies, when he has *five* Legions, the *best body* of Horse, and the *greatest number* of Auxiliaries, is not reconciled, first, by saying, “ that he
 “ intimated nothing but what was prosperous in his
 “ public Letters, yet signified his wants in his *pri-*
 “ *vate* accounts to *Cicero* ;” for he signified the prosperous state of his army in his *private* accounts to *Cicero* : Nor, secondly, by saying, “ that he
 “ might want supplies, notwithstanding his forces ;
 “ since they were not sufficient to support the li-
 “ berty of *Rome* :” for *Brutus's* forces were sufficient, or not, in comparison of his own proper enemy's forces. But *C. Antony* is supposed to be *Brutus's* prisoner, when the latter wants supplies, and *Dolabella's* five Cohorts, which came a few days after into the *Chersonese*, are esteemed by *Cicero* contemptible in comparison of *Brutus's* forces ; nor did he want supplies to support the *whole* liberty of *Rome*, since the liberty of *Rome* was supported by

[*i*] Nullum enim bellum civile fuit in nostra Rep. omnium, quæ memoria mea fuerunt, in quo bello non, utracunque pars vicisset, tamen aliqua forma esset futura Reipublicæ. Hoc bello victores quam Remp. simus habituri, non facile affirmari : victis certe nulla unquam erit.

Ep. ad Brut. i. 15. — Aut enim, victis his, fruemur victrice Republica ; aut oppressi — virtutis laude vivemus, Phil. xiii. 3. Si — victis hostibus nostris veneritis, tamen auctoritate vestra Resp. exurget, et in aliquo statu tolerabili consistet. Ep. Fam. xii. 10.

the incredible consent of all *Rome, Italy, and Gaul*, and by the good affections and activity of all the Generals and Governors of distant Provinces; in comparison of whose forces *Antony's* army before *Modena* was contemptible.

ANOTHER instance of contradiction, which is likewise an instance of superior prudence in the Author of the *first* book of Letters, is; “ That the “ *Cicero* of the *second* book received, on the 9th of “ *April*, authentic intelligence from *Lentulus* con- “ cerning *Cassius*, his *Legions*, and *Syria*: whereas “ the *Cicero* of the *first* book declares, on the 5th of “ the *May* following, that they knew nothing at “ all of *Cassius's* forces, having not yet received “ any Letters from himself, or any intelligence “ that could be depended upon [*k*].” The latter account is very probably true. For *Cassius's* first Letter, which was delivered as soon as ever he arrived in *Syria* and took possession of the *Legions* there, is dated from the camp of *Tarichea*, a town in *Judea*, on the 7th of *March*, and therefore probably had not got to *Rome* on *May* 5th; his second Letter, dated from the same place on *May* 7th, not arriving at *Rome* till some time after the beginning of *July* [*l*]. Hence the other account is plainly

[*k*] A. d. v Id. April. literae mihi in Senatu redditae sunt a Lentulo nostro, de Cassio, de legionibus, de Syria. Ep. ad Brut. ii. 2. De Cassii nostri copiis nihil sciebamus. Neque enim ab ipso ullae literae, neque nuntiabatur quidquam, quod pro certo haberemus.—iii Nonas

Maías. Ib. i. 5.

[*l*] In Syriam me profectum esse scito, etc. Data Nonis Martiis, ex castris Taricheis. Ep. Fam. xii. 11. Simul ac legiones accepi,—scripsi ad te, tabellariosque complures Romam misi.—Nonis Maii. Ep. 12. Bellum—fane magnumerat—le-

T

false,

false, that *Cicero* was informed by *Lentulus*, on the 9th of *April*, concerning *Cassius's* *Legions*, which *Cassius* himself, now in *Syria*, did not receive till the 7th of *March*; much less could *Cicero* receive, round about by *Brutus*, an account of the prosperous condition of *Cassius's* affairs as early as *April* 11th [m].

THE Vindicator then might have saved himself the trouble of *harmonizing* the two accounts, by telling us, that *though Cicero had heard in April, that Cassius was master of all the forces in Syria; yet from that time he had not heard a syllable of what he had done with those forces, or which way he had marched with them, and was in the utmost expectation to hear of some action performed with them. This is all, he says, that is meant in the passage of the first book of Letters before us* [n]. But the *passage before us* literally means more, that *Cicero* had not received any *Letter* from *Cassius*, or any certain report concerning his *forces at all*, or whether he *had any forces*. This is very different from what the *true Cicero* professes after the arrival of *Cassius's* advices. “As for your army,” says he to *Cassius*, “I will do every thing to serve it that lies in my power. But the proper time for that will be when we know what *real service* it will do, or has already done for the Republic. Hitherto we hear only of your *attempts*, great indeed and noble; but we expect an *action*, which, I persuade myself,

vitae Lepidi.—Literis tuis, quas Nonis Maii ex castris datas acceperamus,—Ep. 10.

[m] De Cassio laetor et Reip. gratulor. Ep. ad Brut. ii. 4.

[n] *Mid. Pref. Diff.* p. 91.

“ is either over or near at hand [o].” Whereas the *suspected Cicero* does not want to hear of an *action* from *Cassius’s* army, but professes an absolute ignorance of the *army itself*; and this is farther evident from the *nature of the thing*, since such ignorance is alledged to *Brutus* as a motive for his undertaking the war against *Dolabella* [p]. The *true Cicero*, on the contrary, tells us several times, that all reports concurred with his own presumption of *Dolabella’s* intire defeat, from the expectation which was raised by the news of *Cassius’s* forces [q]. Here then the Vindicator may harmonize again, and tell us,

XXI. How *Cicero* could, in a Letter of *May 5th*, press *Brutus* to pursue *Dolabella*, if he *was* then informed concerning *Cassius’s* forces; or how he could *not* be informed concerning them, if he had received *Lentulus’s* intelligence concerning *Cassius’s* Legions on the 9th of *April*: And again, how *Cicero* could at all receive this intelligence from *Lentulus* on the 9th of *April*, and the like intelligence from *Brutus* two days afterwards; when *Cassius* received the *Legions* only on the 7th of *March*, and his *first* Letters, immediately dispatched by several expresses, had not, as *Cicero* himself declares, arrived at *Rome* on the 5th of *May*.

[o] Ep. Fam. xii. 10.

[p] Equidem sic sentio, si manum habet,—si ubi consistat uspiam *Dolabella*;—ad dignitatem tuam pertinere eum persequi. De *Cassii* nostri copiis nihil sciebatmus.—Quantopere autem interfit opprimi *Dolabellam*, profecto intelligis. Ep. ad

Brut. i. 5.

[q] Nos hic de *Dolabella* audiebamus quæ vellemus. Ep. Fam. xii. 8. Nihil perfertur ad nos praeter rumores de oppresso *Dolabella*. Ep. 9. Literis tuis—persuasum erat civitati, ut illum jam oppressum omnes arbitrantur. Ep. 10.

BUT that we may set aside at once all the counter-evidence of the *second* book of Letters, we proceed to lay before the Reader a *complication* of their *blunders*, acknowledged by the Vindicator himself; who charges me on this head with being *perplexed and involved, jumbling together several facts of a different kind and of different times, and, among the rest, the account of Cassius's successes in Syria* [r]. For the *blundering account* is in reality the Sophist's own, who *jumbled together the several facts*; and I detected him by shewing, that they were of a *different kind, and of different times*. In the first place, "The Sophistic *Brutus* sends to *Cicero*, by the " *same* express of the *first* of *April*, an account of " his own affairs, or successes in *Macedonia*, and of " the death of *Trebonius*, who was murdered by " *Dolabella* in *Smyrna* [s]." Now there is so much resemblance of truth in the matter of *Brutus's* express, that, as the Vindicator very justly observes, these two articles of news arrived at *Rome* about the *same time* [t]. He relates farther, that *Brutus's public Letters*, giving a particular account of his successes, arrived there about the beginning of February [u]; and yet, through too steady an attention to his hypothesis, he now thinks fit to assert, that the *eleventh Philippic*, which turns wholly upon the news,

[r] *Mid. Pref. Diff.* p. 88, 9.[s] *Literas tuas valde expecto, quas scripsisti post nuntios nostrarum rerum, et de morte Trebonii.* Ep. Brut. ii. 5. Where *Brutus* refers to his Letter of *April* 1st [Ep. 3.] to which *Cicero* answers Ep. 4.[t] *Life of Cicero*, v. ii. p. 373.[u] *Ib.* p. 363. Comp. p. 352. That *Brutus's* letters arrived after, and yet few days after, the fourth of February, may be seen from *Phil.* viii. 2. *Nonius* in *Sagum*; and Ep. Fam. xii. 4, 5.

just received, of *Trebonius's* death, was spoken in *March* [x]. However, there is great reason to believe, that even the *twelfth Philippic* was spoken in *February* [y], and the *thirteenth Philippic* was certainly spoken as early as the 20th of *March* [z]; which alone is sufficient to supersede the necessity of *Brutus's* writing concerning the death of *Trebonius* on the *first* of *April*. But I must desire a solution of this Problem too,

XXII. How *Brutus* could, by the same express of the *first* of *April*, acquaint *Cicero* with his successes in *Macedonia* and with the news of *Trebonius's* death; when these two articles did indeed arrive at *Rome* about the same time, but the one give occasion to the speaking of the *tenth*, the other of the *eleventh Philippic*, in the preceding *February*.

In the second place, as the Sophistic *Brutus* related, on the *first* of *April*, two articles of news, which were heard at *Rome* several weeks before that time, so he jumbled together in the same express other two articles, which did not arrive there till several weeks after it. For he notified the successes of *Cassius* in *Syria* together with the death of *Trebonius*, and the circumstance of *C. Antony's* being his prisoner, together with his own successes in *Macedonia*. With regard to the former syzygium of

[x] *Mid. Pref. Diff.* p. 89. Magno in dolore, P. C. vel moerore potius, quem ex crudeli et miserabili morte C. Trebonii—accepimus,—*Phil. xi.* in init.

[y] Hisce ego me viis committam, qui *Terminalibus nuper* in suburbium—ire non sum au-

sus? *Phil. xii.* 10.

[z] At enim nos M. Lepidus—ad pacem adhortatur. *Phil. xiii.* 4. Sed de pace literae vel Lepidi vel tuae quam in partem acceptae sint,—ex C. Furnio poteris cognoscere. *Ep. Fam. x.* 6.

news; “The *suspected* Cicero receives, on April
 “ 11th, Brutus’s express concerning Cassius’s suc-
 “ cesses; had been informed by Lentulus of Cassius’s
 “ Legions *two days* before; and returns Brutus an
 “ account of the Speech, which he made in the Se-
 “ nate on the subject of Trebonius’s death [a].”
 Here I observed, that the *eleventh Philippic*, which
 was spoken on the subject of Trebonius’s death, and
 strongly recommends Cassius as the only person pro-
 per for the command of the war against Dolabella;
 plainly declares, that no news had yet arrived at
 Rome of his successes, or his receiving the Legions
 in Syria [b]. The *true Cicero’s* Letter likewise to
 Cassius, which gives the very same account, that the
suspected Cicero does to Brutus, of the *eleventh Phi-*
lippic, as plainly declares, “That they were not
 “ informed at Rome, either where Cassius was,
 “ or what forces he had [c].” And the Vindica-
 tor himself allows, *that the news of Cassius’s suc-*
cesses did not arrive at Rome till April, whereas *the*
eleventh Philippic was spoken in March [d]; and
that Cicero had spoken his eleventh Philippic three

[a] A. d. iii Id. April.—tuas
 accepi Kal. April.—De Cassio
 laetor et Reip. gratulor; mihi
 etiam, qui repugnante et ira-
 cente Panfa sententiam dixerim.
 —Audacter dicebam, sine no-
 stro S. C. jam illud eum [Cas-
 sium] bellum gerere. Ep. ad
 Brut. ii. 4, 2.

[b] Senatui placere, C. Cas-
 sium — a Q. Martio Crispo
 Proconsule, L. Statio Murco
 Proconsule, A. Allieno legato

exercitus accipere. Phil. xi. 12.
 Ep. ad C. Middlet. p. 223, 4.

[c] Mea sententia in Senatu
 facile valuisset, nisi Panfa vehe-
 menter obstitisset.—Promisi,—
 te non expectasse nec expectatu-
 rum decreta nostra, sed te ipsum
 tuo more Remp. defensurum.—
 Quanquam nihil dum audieramus,
 nec ubi esses, nec quas copias ha-
 beres. Ep. Fam. xii. 7.

[d] *Mid. Pref. Diff.* p. 89.

weeks

weeks before any news about Cassius was received at Rome, either from Brutus, or any body else [e].

ADMITTING then for the present, that there was an interval of *three weeks* only between Cicero's speaking his *eleventh Philippic* and the receiving any news about Cassius at Rome; what account can be given of Brutus's supposing himself to be the *first relater* of *two* articles of news, by the same express, which arrived in *ten* days; when the one article was actually heard at Rome above *three weeks* before the other? The only possible account is, that the *piece of news*, concerning Trebonius's death, *had been received at Rome directly from Asia, and gave occasion to Cicero's eleventh Philippic [f]*, so long a time before Brutus's express arrived at Rome. But, to mention no other of the many absurdities of this mere supposition, must then the news of Cassius's successes be received at Rome directly from Syria by Lentulus's express, only *two days* sooner than it was received by Brutus's express; and yet the news of Trebonius's death be received at Rome, directly from Smyrna only, above *three weeks* before it could be received by Brutus's express? — The truth of the case is, there was an interval of little less than *three months* between Cicero's speaking his *eleventh Philippic* and the receiving any news about Cassius at Rome. For the *eleventh Philippic* was spoken about the *middle of February*, and the news concerning Cassius was not received at Rome till after the *beginning of May*. This then deserves explanation,

[e] *Mid. Pref. Diff.* p. 92.

[f] *Ep. of Cic.* p. 12. not. 1.

XXIII. How *Brutus* could, by one express of the *first* of *April*, acquaint *Cicero* with the death of *Trebonius* and the successes of *Cassius*, when, according to the Vindicator himself, the former article of news arrived at *Rome* above *three weeks* before the latter; and when in reality the news of *Trebonius* arrived about the *middle* of *February*, and the news of *Cassius* did not arrive till after the *beginning* of *May*.

WITH regard to the other syzygium of news, promoted in *Brutus's* express of the *first* of *April*;
 “ *Brutus* is supposed to have notified the circum-
 “ stance of *C. Antony's* being his prisoner toge-
 “ ther with his own successes in *Macedonia*, and
 “ impatiently expects, in a subsequent Letter, that
 “ *Cicero* should advise him in what manner to treat
 “ *Antony*. *Cicero* in the mean time advises, that
 “ he be reserved in custody till they knew the fate
 “ of *D. Brutus*, who was now blocked up in *Mo-*
 “ *dena* [g].” Here we will shew, that the Letters
 of the *two books* are at disagreement *with each other*;
 and then, that the Letters of the *second* book are in
 several particulars flatly contrary to plain *matter of*
fact. The machinery of the *first* book, which de-
 livers the political doctrines of *rewards* and *punish-*
ments, with an application to *Cicero's* conduct in
 conferring *honours* upon *Octavius*, and decreeing
censures against *Lepidus*; has been already laid open.
 But the action of *Octavius*, the Hero of the Fable,

[g] Antonius adhuc est nobiscum. Ep. Brut. ii. 5. Quod Brut. exitum cognorimus, custodiendum puto. Ep. ad Brut. me de Antonio consulis, quoad ib. 4.

commences in a more early scene; and a contrast of character is provided for him in the person of *C. Antony*, who is made the object of *Brutus's* too great lenity in punishing, as *Octavius* is the object of *Cicero's* prodigality in conferring honours. *Cicero's* accusation of *Brutus*, for sparing the life of *C. Antony* his prisoner, is formally urged in the *second* Letter, and supported in the *next* by the *ambiguous* sense of the Senate's decree [*b*]. *Brutus's* defensive recrimination upon *Cicero* is introduced in his very *first* Letter and steadily prosecuted throughout the whole collection [*i*]. From the contemplation of the inflexible firmness of these two Antagonists in maintaining their respective judgments concerning the proper treatment of *C. Antony*, the Vindicator drew this most just reflection; *that Cicero constantly pressed Brutus to consider his prisoner C. Antony as an enemy; whom Brutus, contrary to Cicero's advice, continued to treat with great respect and tenderness* [*k*].

BUT now the Letters of the *second* and more recent book somewhat vary the scene, and represent a

[*b*] Quod scribis de seditione, — deque Antoniis (in bonam partem accipies) magis mihi probatur militum *severitas*, quam tua. — Scribis, — acrius prohibenda bella civilia esse, quam in *superatos iracundiam* exercendam. Vehementer a te — *dissentio*. — Quod si *clementes* esse volumus, nunquam deerunt bella civilia. Ep. ad Brut. i. 2. Hostes — omnes judicati, qui M. Antonii sectam secuti sunt: ita-

que id S. C. plerique interpretantur, etiam ad tuos sive *captivos*, sive dedititios pertinere. Ep. 3.

[*i*] Multo quidem honestius judico, magisque quod concedere possit Respublica, *miserorum* fortunam non *insectari*, quam *infinite* tribuere potentibus, quae cupiditatem et arrogantiam incendere possint. Ep. Brut. ib. 4.

[*k*] *Mid. Pref. Diff.* p. 95.

conversation

conversation of the more *civil* and *amicable* kind. *Brutus*, in a strain of perfect complaisance, says;
 “ *C. Antony* is still with me, but in truth I am both
 “ moved by the prayers of the man [*i. e.* to spare his life,] and fearful lest he should suffer outrage
 “ from the madness of some [*i. e.* the soldiers, if I do spare it.] I am wholly distracted: but if
 “ I knew what you would have me to do with him,
 “ I should be at ease, for I should persuade myself
 “ that it was the best [*l*].” These words, I farther observed, deliver a *prediction* of an *outrage* to be committed upon *C. Antony* by *Brutus*’s soldiers, who were seduced to mutiny by *Antony*’s secret management among them; but returning to their duty, upon *Brutus*’s punishing the principals, directed their *fury* on a sudden against *Antony*’s party, killed some of the *authors of their rashness*, and would have killed *Antony* too, if *Brutus* would have delivered him into their hands: but he could not be induced to take his life [*m*]. The *Cicero* therefore of the first book of Letters, when he receives some time after from *Brutus* the *relation* of the mutiny, which was raised among the soldiers, applauds their *severity*, and arraigns the false clemency of *Brutus*, in not taking *Antony*’s life [*n*].

[*l*] *Antonius adhuc est nobiscum. Sed mediisfidius et moveor hominis precibus, et timeo ne illum aliquorum furor excipiat. Plane aestuo. Quod si scirem quid tibi placeret, sine sollicitudine essem; id enim optimum esse persuasum esset mihi.* Ep. Brut. ii. 5.—“ I am

“ afraid, lest the madness of
 “ some should make him an
 “ occasion of mischief to me.”
 —Mid. Ep. of Cic. p. 9.

[*m*] Life of Cic. v. ii. p. 440. Dion. Hist. Rom. p. 340.

[*n*] Ep. ad Brut. i. 2.

ON the other hand, the *Cicero* of the *second* book of Letters is not behind his correspondent *Brutus* in matter of complaisance, and recommends such a treatment of *C. Antony* as, he knew, would be agreeable to *Brutus's* pacific disposition. In direct contradiction, therefore, to matter of fact and to the ideas of his namesake, the *Cicero* of the *first* book ; " As to my advice," says he, " which you ask " about *C. Antony* ; I think, he should be kept in " custody till we know the fate of *D. Brutus* [o]." The Vindicator entertains the silly imagination, that *Brutus was inclined to give Antony his liberty, but Cicero's constant remonstrances induced Brutus, against his inclination, to keep him still in custody* [p] : and yet this imagination, silly as it is, must be urged at the expence of a contradiction ; for he before told us, that *Brutus, contrary to Cicero's advice, continued to treat Antony with great respect and tenderness ; when Cicero had constantly pressed Brutus to consider him as an enemy, i. e. to kill him* [q]. It is evident from the whole tenor of the *first* book of Letters, that *Cicero* advised *Brutus* to kill *Antony* directly ; and from the express testimony of *Plutarch* and *Dio*, that it was *Brutus's* constant inclination to keep him still in custody [r]. Hence the *Cicero* of the *second* book of Letters, who would have *C. Antony* kept in custody till they knew the fate of *D. Brutus*, appears to utter a *prophecy*, which was verified by the event. *Brutus* actually did keep *Antony*

[o] Ep. ad Brut. ii. 4.

[q] Pref. Diff. p. 95.

[p] Mid. Ep. of Cic. p. 13.

[r] Plut. in Brut. p. 996.

not. 2.

Dion. Hist. Rom. p. 340.

in custody till he heard of the fate of his Brother *Decimus*, and no longer. For he sent an order to execute *Antony* his prisoner, by way of retaliation upon his Brother *M. Antony*, as soon as ever he was informed of *Decimus's* being killed [s]. It should therefore be more distinctly explained than is hitherto done,

XXIV. How the scene of *civil* and *moral* conversation, which is represented in the Letters of the *second* book, came to be *prophetic* in the actors on both sides; and how its general character can be reconciled with the scene of *active* and *agonistic* conversation, which is represented in the Letters of the *first* book.

COME we now to the matter of the two articles of news, which were coupled together in *Brutus's* express of the *first* of *April*, his own successes in *Macedonia* and the circumstance of *C. Antony's* being his prisoner. *Brutus*, we observed, notified by the *same* express his successes in *Macedonia* and the death of *Trebonius*; both which articles arriving at Rome *about the same time*, the one gave occasion to *Cicero's tenth*, the other to his *eleventh Philippic*. But as the *eleventh Philippic*, spoken on the death of *Trebonius*, implies an absolute ignorance of *Cassius's* affairs, which *Brutus* had notified together with the death of *Trebonius*; so the *tenth Philippic*, spoken on the *real Brutus's* successes in *Macedonia*,

[s] Λόγος ἔχει, ὅτι πρότερον μὲν ἐν παντὶ τὴν σωτηρίαν αὐτῷ [Γαίῳ Ἀλιωνίῳ] ἐποιεῖτο [ὁ Βρούτος,] ὕστερον δὲ, μαθὼν τὸν Δέκιμον ἀπολώτοτα, παρ' ἐδὲν αὐτὴν ἤγαγεν.

Dion. ib. p. 341.—Ἐγραψεν Ὀρρησίῳ κλεῖναι Γαίον Ἀλιώνιον, ὡς δὴ θρόνῳ τε καὶ Κικέρωνι τιμωρῶν. Plut. ib. p. 996.

plainly declares, that *C. Antony* was not yet become his prisoner; nay, the *eleventh Philippic* declares, that *Antony* was holding out vigorously against *Brutus* and maintaining the possession of several strong towns with considerable forces both of Horse and Foot; on which account *Cicero* thought it by no means adviseable to grant to *Brutus* the commission of the war against *Dolabella*, lest *Antony* should make himself master of all *Greece* [t]. The fact likewise of *Antony's* being *Brutus's* prisoner is contradicted by the *thirteenth Philippic*; nor is it so much as distantly hinted at by the *last Philippic*, which decrees honours to the victorious Generals now before *Modena* [u]. Hence I concluded, that as the Sophistic *Brutus* plainly meant to send the first public advices concerning *Brutus's* successes in *Macedonia*, because he couples them with the article of the death of *Trebonius* [x]; so he joined with those advices an article, which could not belong to them, that *C. Antony* was become *Brutus's* prisoner.

THE Vindicator will needs make me loth to acknowledge, that the true *Brutus* sent two public Let-

[t] Cum vii cohortibus esse Apolloniae scribit [Brutus] Antonium, qui jam aut captus est (quod Dii dent!) aut certe in Macedoniam non accedit. Phil. x. 6. M. Brutum retinet etiam nunc C. Antonius, qui tenet Apolloniam, magnam urbem et gravem: tenet, opinor, Bylidem, tenet Amantiam, instat Epiro, urget Illyricum, habet aliquot cohortes, habet equitatum. Hinc si Brutus erit ductus ad aliud bellum, Grae-

ciam certe amiserimus. Phil. xi. 11.

[u] Macedoniam munitis exercitibus. Et quidem fratri tuo extorsimus. Phil. xiii. 15.

[x] Dr. Mid. refers *Brutus's* Letter, in which *Antony* is said to be his prisoner, to the time of his sending his first public Letter concerning his successes in *Macedonia*. Life of Cic. v. ii. p. 372. Ep. Brut. ii. 5. Ep. ad C. Middlet. p. 226.

ters,

ters, at different times, to the Senate, concerning his affairs in Macedonia; the first of which signified, that he had secured the greatest part of that Province and the troops in it to the interests of the Republic; and the second, that he had reduced the whole Province, and taken C. Antony himself prisoner: the distinction, says he, of the two expresses will dissipate at once my imaginary contradiction [y]. Now I readily acknowledge the distinction of Brutus's two public Letters, and still maintain the contradiction to be real; for I absolutely deny what he affirms, that the second public Letter arrived at Rome shortly after the first. The suspected Letters themselves declare, that Brutus's second public Letter was not recited in the Senate till April 13th; and Dio declares, that the Letter of Brutus, which notified to the Senate the reduction of the whole Province of Macedonia, and the taking of C. Antony prisoner, did not arrive at Rome till after the victory of Modena [z]; at which time the Senate gave a general approbation to all his measures, and confirmed to him the command of his troops, and the legal administration of the Province, which he had secured to the interests of the Republic [a]. Here then we want again a more distinct account,

XXV. How Brutus could, by one express of April 1, acquaint Cicero with his successes in Mace-

[y] *Mid. Pref. Diff.* p. 93.

[z] Quae literae tuo nomine recitatae sint Id. April. in Senatu,—credo ad te scripsisse tuos. Ep. ad Brut. ii. 7. Dion.

Hist. Rom. p. 339, 40.

[a] Quae omnia Senatus decretis comprehensa, et comprobata sunt. *Paterc.* l. 2. c. 62. Conf. *Dion. ibid.*

donia,

donia, and with the particular of *C. Antony's* being his prisoner; when his successes, together with the death of *Trebonius*, were notified to the Senate about the *middle of February*; and when *Brutus's* second public Letter, which notified his taking *C. Antony* prisoner, according to the *suspected* Letters, was not recited in the Senate till *April 13th*, and, according to *Dio* and *Cicero's Philippics*, did not arrive at *Rome* till after the victory of *Modena*.——

In the mean time, I will offer a conjecture; that a Sophist, reading in *Dio* concerning a public Letter of *Brutus*, which notified the fact of taking *Antony* prisoner; and reading likewise in the *tenth* and *eleventh Philippics* concerning a public Letter of *Brutus*, which came to *Rome* about the *same time* with the news of *Trebonius's* death; did either through ignorance or design *jumble* all these facts together, though there was really an interval of more than *two months* between the one public Letter and the other.

I did not however dissemble, that the *last suspected* Letter of the *second* book acknowledges the *distinction* of the *two* expresses, which *Brutus* sent from *Macedonia*; though the preceding Letters of the same book manifestly *jumble together* all the facts, which were separately notified by *each* express. But this is not the *only* contradiction between *these* Letters themselves. The *last* Letter sets forth, “ that *Brutus's* second express, which “ signified his taking *C. Antony* prisoner, arrived “ at *Rome* when the Consul *Pansa* had left the ci- “ ty, being marched with his army towards *Mode-*

“ *na*.”

“*na* [b].” It appears from the *thirteenth Philippic*, that both the Consuls had marched from the city before any news was heard there of *C. Antony’s* being *Brutus’s* prisoner [c]. The Vindicator likewise is express, that *Brutus’s second public Letter arrived not at Rome till Panfa had left it* [d].

BUT in the preceding Letters of the same *second* book, “*Cicero and Brutus write to each other about Antony as Brutus’s prisoner, while Panfa is supposed by both the parties to be continuing at Rome.*” This I proved from the express words of the Letters; for *Brutus* tells *Cicero*, “that *Antony* is still his prisoner;” and desires in the same Letter, “that recruits may be sent him, either by the means of a private committee, if *Panfa* should be averse to that measure, or by a public vote of the Senate [e].” The Vindicator suggests in a note upon the place, that *Panfa marched out of Rome with his army in the end of March, a few days before the date of this Letter, though Brutus had not yet heard of it* [f]. Now it is plain from the contents of this Letter, that *Brutus* was impatiently expecting an answer to a former express, which he had sent to *Cicero*, concerning *Antony’s*

[b] Quod si tuis placuisset de his literis referri, et nisi in tempus turbulentissimum post discessum *Pansae* Consulis incidissent, etc. Ep. ad Brut. ii. 7.

[c] Circumsedes Consulem designatum, bellum contra te duo Consules gerunt, cumque his pro Praetore Caesar. Phil. xiii. 18. Macedoniam—fratri tuo

—extorsimus. Ib. 15.

[d] *Mid.* Pref. Diff. p. 93.

[e] Antonius adhuc est nobiscum.—Potest abs te expediri, ut aliqua pars militum istinc mittatur nobis, vel secreto consilio adversus *Pansam* vel actione in Senatu. Ep. Brut. ii. 5.

[f] *Mid.* Ep. of *Cic.* p. 15. not. 8.

being

being his prisoner [g]. Hence I argue, that either the former express arrived at *Rome* while *Pansa* was still continuing there; which is contrary to fact: or that *Brutus*, when he could expect an answer to the express, must very probably have heard of *Pansa's* march out of *Rome*. For *Brutus* must have heard of *Pansa's* march, when he could be expecting an answer to an express, which did not arrive at *Rome* till after *Pansa* had marched.

THE truth is, *Brutus* expects an answer to his express of *April 1* [b]. Now I shewed from one of the familiar Epistles, that the Consul *Pansa* had marched out of *Rome* before *March 30th* [i]; and hence the Vindicator fixed the date of one of the four principal facts, the times of which being known may serve as so many æras towards settling the dates of the particular suspected Letters. The Consul *Pansa*, says he, set forward on his march out of *Rome* at the head of his army, to join his Collegue *Hirtius* near *Modena*, before the *30th* of *March* [k]. But it luckily happens, that the Consul *Pansa* had set forward on his march by the *20th* of that month. This appears from another of *Cicero's* familiar Epistles, bearing date *March 20th*; in which he acquaints *Plancus* what reception his and *Lepidus's* pacific Letters met with in the Senate; and the *thirteenth Philippic*, which was spoken in the debate concerning the Letters, declares that the Con-

[g] Literas tuas valde expecto, quas scripsisti post nuntios rerum nostrarum. — Antonius adhuc est nobiscum. Ep. Brut. ibid.

[b] Ep. Brut. ii. 3.

[i] Ep. Fam. x. 10.

[k] Mid. Pref. Diff. p. 125. Comp. Epist. ad C. Middlet. p. 225.

ful *Pansa* had then marched out of *Rome* [1]. Should we therefore, against all probability, suppose that *Brutus* might not have heard of *Pansa's* march, when he expected an answer to his express, which arrived at *Rome* after *Pansa* left it; yet how could he be expecting an answer to his express of *April 1st*, and yet be ignorant of the march, on which *Pansa* set forward by the 20th of the preceding month? The Sophist then appears to be mistaken,

XXVI. IN making *Brutus* write about *Antony*, as his prisoner, while *Pansa* continued at *Rome*; when he could not, by the supposition of his own Letter, be ignorant, that *Pansa* had marched out of *Rome*.

AGAIN, the suspected *Cicero* writes about *Antony*, as *Brutus's* prisoner, while *Pansa* is supposed to be still continuing at *Rome*. “*Cicero*, in answer “ to *Brutus's* express of *April 1st* advises him to “ keep *Antony* in custody; and, in answer to a sub- “ sequent Letter, which expressly mentioned *Antony* “ as *Brutus's* prisoner, says; “ As to the recruits, “ I do not see what is possible to be done; for *Pan-* “ *sa* is so far from granting any share of his army “ or new levies to you, that he is even uneasy to “ see so many volunteers going over to you [m].” First, this is exactly in the style of a Sophist, to make *Brutus* imagine that *Pansa* would give him opposition, and then to make *Cicero* tell him that

[1] Ep. Fam. x. 6. Phil. xiii. 4. 18.

[m] Quod me de Antonio consulis.—custodiendum puto. Ep. ad Brut. ii. 4. De supplemento autem non video quid fieri pos-

sit. Tantum enim abest ut *Pansa* de exercitu suo aut delectu tibi aliquid tribuat, ut etiam moleste ferat tam multos ad te ire voluntarios. Ibid. Ep. 6.

he had guessed right. Secondly, the Vindicator is mightily pleased with his own observation, "that Panfa certainly judged right, for refusing to part with any troops out of *Italy* [n]." It is certain, in the mean time, that no levy was more successfully carried on by any Consul, than this was by the Consul Panfa, who actually saw volunteers in incredible numbers coming to himself from all parts of *Italy* [o]. And as this must diminish the credibility of his seeing so many volunteers going over to Brutus, so Brutus, who had not any proper enemy at this time, according to the representation of the Letters, could with little modesty press his demand of recruits from *Italy*, whence he was continually receiving so many volunteers. But, lastly, how does the Vindicator dissipate this proof of Cicero's writing his answer to Brutus, when he supposes the Consul Panfa to be still continuing at Rome? What is said in this Letter, says he, concerning Panfa would lead one to imagine, that he was at Rome at the time when Cicero wrote it [p]. So then we are happily agreed. No, he goes on; If so, the latter part of the Letter, annexed here, as I have observed, by Manutius, cannot belong to the former part, which bears date on April 12th; because Panfa quitted Rome before the end of March. Egregious Disputant, who can talk too of people's begging the

[n] Ep. of Cic. p. 29. not. 10. Life of Cic. v. ii. p. 373.

[o] Vacationes omnes sustulisti. — Omnes sine ulla recusatone, summo etiam cum studio, nomina dant. Phil. vii. 4, 8, 9. viii. 2. Romae delectus

habetur totaque Italia, si hic delectus appellandus est, cum ultro se offerunt omnes. Ep. Fam. xi. 8.

[p] Mid. Ep. of Cic. p. 29. not. 10.

question! But, what is most excellent, he himself had *annexed* the *latter part* of the Letter to the *former part*, which bears date *April 12th*, upon the authority of *Manutius* and *Patricius*, *who had considered these fragments with a particular attention* [q]. Well, they are all certainly wrong, and the *vulgar* disposition of *these fragments* is right [r], as I will shew upon a proper occasion. Pray, Sir, come out of the dark. Would you make your Reader believe, that my argument depends on the date of the Letter? Be pleased to answer directly to this point; Does not *Cicero*, in the *latter part* of the Letter, if you will call it a *part*, expressly answer to a Letter, in which *Brutus* had mentioned *Antony* as his prisoner? And does not *Cicero* therefore know, that *Antony* was *Brutus's* prisoner, when he supposes the individual person of *Pansa* to be continuing still at *Rome*? Which was the thing to be proved.

BUT our Disputant has not yet done. For, though *what is said in this Letter concerning Pansa would lead one to imagine, that he was at Rome when Cicero wrote it*; yet, upon the strength of a few hypotheses, *the passage*, he says, *does not necessarily require that interpretation, but may allude only, perhaps, to Pansa's known inclination, and to what he had declared to Cicero before he left Rome* [s]. *Pansa* then, *perhaps*, had left word at *Rome*, not to grant to *Brutus* any share of the army or new levies, which he had already marched out of *Rome*. No,

[q] *Mid. Ep. of Cic. p. 15.* 1725.
not. 9.

[s] *Mid. Ep. of Cic. p. 29.*

[r] Edit. Hagae-Comitum, not. 10.

Pansa, when he quitted Rome, left [might leave] one of his Legions still behind him for the guard of the city, and might leave orders withal, that no part of it should be sent away to Brutus. But how did Pansa certainly judge right here, in being so liberal of a whole Legion of his new levies for the guard of the city, when he imagined the fate of the Republic to depend principally on their success before Modena [u]; and when he had raised new levies, and gathered all the troops that he could, in order to march with them to the assistance of his Collegue Hirtius and Octavius [x]? And what business had Pansa, when he quitted Rome, to leave orders for the disposition of the Legion left still behind him; when the Senate and the Magistrates, whom he left behind him too, would more naturally make orders for the guard of the city than an absent Consul? And how could Pansa have declared to Cicero, that no part of the Legion left behind him should be sent away to Brutus; when Cicero does not in the least suspect, that Pansa's refusal of his levies proceeded from any jealousy of Brutus's power, but from an opinion of their being all necessary to their success before Modena [y]? But I am ashamed to expend any pains in demolishing this airy fabric of suppositions, which is overthrown at once by the expression of Cicero's Letter; since it tells us what Pansa was then doing, not what he might perhaps have declared to Cicero, or order-

[u] Mid. Ep. of Cic. p. 29. not. 10.

[x] Ib. p. 15. not. 8.

[y] Quomodo equidem credo, quod his rebus, quae in Italia decernuntur, nullas copias nimis

magnas esse arbitretur: quomodo autem multi suspicantur, quod ne te quidem nimis firmum esse velit: quod ego non suspicor. Ep. ad Brut. ii. 6.

ed before he left Rome [z]. The Vindicator may level, if he pleases, some more of his *hypothetical* artillery against this *demonstration* of the spuriousness of the Letters,

XXVII. THAT *Cicero's* Letter, which supposes *Pansa* to be continuing still at *Rome*, and is written in answer to *Brutus's* Letter, which mentioned *Antony* as his prisoner, places the news concerning *Antony* and the personal existence of *Pansa* at *Rome* in the same point of time: whereas it is absolutely certain, that the news concerning *Antony* did not come to *Rome* till *Pansa* had left it.

BUT though the *last* Letter of the *second* book is more *historical* than the preceding ones of the same book, in the article of *Brutus's* sending two public Letters [a]; yet it makes abundant amends by its *Sophistic character* throughout, and the many instances, which appear in it, of *scholastic* meditation and ignorance of *real affairs*. It tells us, “ that
“ the *second* public Letter was indeed recited in the
“ Senate, but *Brutus's* own domestics would not
“ permit any honourable motion to be made about
“ it [b];” whereas, according to *Dio*, whose testimony is supported by *Paterculus*, the Senate, on

[z] Tantum—abest ut *Pansa*
—tibi aliquid tribuat, ut etiam
molestè ferat—Ep. ad Brut.
ii. 6.

[a] It is more *historical* too
in making *Cicero* advise *Brutus*
to consider *C. Antony*, his prisoner,
as an enemy, or to kill him. Nam quid interest inter
Dolabellam et *quemvis Antonii*

orum trium? quorum si cui par-
cimus, duri fuimus in *Dolabella*.
Ep. ad Brut. ii. 7. Whereas the
preceding Letters, as we have
seen, make *Cicero* advise *Brutus*
to keep *Antony* in custody till
the fate of *Decimus* should be
known.

[b] Quod si tuis placuisset de
his literis referri,—Ib. Ep. 7.

this occasion, gave an ample approbation of *Brutus's* measures, and confirmed to him the command of his army and the administration of his Province. The pretence for “not decreeing just and proper
“honour to the immortal Gods on account of *Brutus's* successes, namely, the most turbulent situation of affairs after the departure of the Consul *Pansa* [c];” is by no means sufficient: for the presence of the Consul was not necessary for decreeing a *Supplication* upon the victory of *Modena* [d]. Lastly, we are told, that another *public Letter* came from *Brutus* the very morning before the former was recited in the Senate; and another from *Antony*, the prisoner, by the same express; and another still from *Dolabella* by his own express [e]. The *genuineness* of the latter public Letter is exploded in the Senate by those, who knew it to be *Brutus's*;

[c] Nisi in tempus turbulentissimum post discessum Pansae Consulis incidissent [tuae litterae,] honos quoque iustus et debitus diis immortalibus decretus esset. Ibid.—The true Cicero indeed says to *Plancus*; Si Consulem Romae habuissimus, declaratum esset ab Senatu, cum tuis magnis honoribus, quam gratus esset conatus et apparatus tuus. Ep. Fam. x. 10. But the Sophist might have observed, that Cicero here gives a civil denial of honours to *Plancus*, who did not yet fully declare himself on the side of the Republic, or do any thing which deserved regard. For he adds; Cujus rei non modo non praeteriit tempus, sed ne maturum quidem

etiamnunc, meo quidem iudicio, fuit. Is enim denique bonos mihi videri solet, qui non propter spem futuri beneficii, sed propter magna merita claris viris deferatur et datur.—Afterwards Cicero changes his style; whence we learn that *Cornutus*, the Praetor, was according to custom supplying the place of the Consul, in holding the Senate for the business of decreeing honours. Ep. 12.

[d] Phil. xiv. in fine.

[e] Ecce tibi Id. April. advolat mane celer Pilus.—Hic epistolas affert duas, unam tuo nomine, alteram Antonii.—A quo [Dolabella] quidem venerant tabellarii. Ep. ad Brut. ii. 7.

and *Brutus* is supposed to have inadvertently given them the opportunity of denying its *genuineness*, because neither *date* nor *seal* were affixed to a Letter, addressed to the *Magistrates, the Senate, and the people of Rome* [*f*]. But why must the Letter be denied to be *genuine*? Why, truly, for a reason, which effectually proves *Cicero's* answer to be *spurious*. *Brutus*, in a *public* Letter, had given to *Antony* his prisoner the style and title of *Proconsul* [*g*]. Could there possibly be a greater stretch of *Sophistic* imagination? That *Brutus* should call his professed rival for the province of *Macedonia* by the title of *Proconsul* i. e. of *Macedonia*! And call him so in a Letter to the Senate, which had formally interdicted him the Province and deprived him of his *Proconsulship* [*h*]! So far indeed is true, that *Brutus* did not for some time deprive his prisoner *Antony* of the *ensigns* and *ornaments* of his *Imperial* rank [*i*]; and this was reason enough for the Sophist to make *Brutus*, in a *public* Letter, acknowledge him in the character of *actual Proconsul*.

AFTER all this action, *pro* and *con*, carried on through two scenes, the one *peaceable*, the other *passionate*, on the subject of *C. Antony*, who is sup-

[*f*] Tuas [literas] recitantur.—*Falsas* dicerem?—Labeo vero noster nec signum tuum in epistola, nec diem appositum, nec te scripsisse ad tuos, ut sciret. Hoc cogere volebat *falsas* literas esse, et, si quaeris, probabat. Ep. ad Brut. ii. 7.

[*g*] *Antonius Proconsul*! Magna admiratio, ut si esset recitatum, *Dolabella Imperator*. Ib.

[*h*] *Macedoniam* suam vocat

omnino: quoniam *Cajus frater* est inde revocatus. Phil. vii. 1. Qui, tanquam extruderetur a Senatu in *Macedoniam*, et non contra prohiberetur proficisci, ita cucurrit. x. 5.

[*i*] Τα παράσημα τῆς ἀρχῆς ἐκ ἀφῆκε. Plut. in Brut. p. 996.—τῶν ἐπισήμων τῆς στρατηγίας — Dion. Hist. Rom. p. 340.

posed

posed all along to be *Brutus's* prisoner ; I observed, “ that *Plutarch* had not seen one of the *suspected* “ Letters of *either* book, which relate to that sub- “ ject [k].” The *Vindicator* will *not dispute with* me, *whether* *Plutarch* *had seen the Letters or not,* *being very sure,* *that he had very little curiosity about seeing any of Cicero's genuine Letters* [l]. I assert upon better grounds, that he himself appears to have had less curiosity about seeing *Plutarch*, than *Plutarch* had about seeing any of *Cicero's* and *Brutus's* genuine Letters. *Plutarch*, as was shewn, gives large extracts from *Brutus's* Letters, which were written at the beginning and conclusion of his *Macedonian* expedition. He not only describes the spurious *Greek* Letters, under *Brutus's* name, of the *intermediate* period ; but refers to a genuine collection of *Brutus's* Letters *to his Friends*, which related to the transactions of his more early life. He likewise refers, as we said, to his Letters to *Cicero*, which requested him to be present at the Shews ; and mentions some particulars of his Letters *to his Friends*, who were charged with the furniture and direction of them [m]. As to *Cicero's* genuine Letters ; *Plutarch* applies them to *historical* uses on several occasions, and gives a more exact account of some collections of them, than is to be found in any other Writer. He reports from *Cicero's* Letters a piece of secret history, the real cause of *Pompey's* sending a divorce to his wife *Mucia*, which

[k] Χρόνον μὲν ἔνι πολλὸν ἐν τι-
μῇ τὸν Γάϊον ἤγεν [ὁ Βρῦτος,] —
καίπερ, ὡς φασιν, ἄλλων τε
πολλῶν καὶ Κικέρωνος ἀπὸ Ῥώμης
γεγραμμένων καὶ κελευστικῶν ἀναιρεῖν.

Plut. in Brut. p. 996. Epist. ad
C. Middlet. p. 229.

[l] *Mid. Pref. Diff.* p. 96.

[m] Plut. in Brut. p. 994.

Pompey himself would never discover [n]. Besides the collection of Letters, which *Cicero* wrote to his Son while he was residing at *Athens*, he mentions a collection of his Letters to *Herod*, who was concerned in the care of him there; a complaining Letter to *Gorgias* for seducing him, which was written in *Greek*; and a Letter to *Pelops*, the second in the order of his *Greek* Letters [o]. He had told us just before, that though *Cicero*, in a Letter to some of his intimates, expressed a judgment concerning *Demosthenes*, that he now and then nods in his Orations; yet he made him sufficient amends by inscribing the Orations against *Antony*, the most elaborate of any, with the title of *Philippics* [p].

[n] Ἐπεμψεν αὐτῇ τὴν ἀφ᾽ ἑσιν ὅτε τότε γράψας, ὅθ' ὕστερον ἐφ' οἷς ἀφῆκεν ἐξειπών. Ἐν δ' ἐπιστολαῖς Κικέρωνος ἡ αἰνία γέγραπται. Plut. in Pomp. p. 641. Ep. ad Att. i. 12.

[o] Plut. in Cic. p. 873.

[p] Πρὸς τινὰς τῶν ἐταίρων ἔθηκεν ἐν ἐπιστολῇ, γράψας, ἵνα καὶ τῶν λόγων ἀπουστάζειν τὸν Δημοσθένην. — Περὶ ὧς μάλιστα τῶν ἰδίων ἐσπέδατε λόγων, τὰς κατ' Ἀλίωνος, Φιλιππικὰς ἐπέγραψεν. Ib. p. 872. The Sophist seems to have been poaching in this passage. For he literally translates the former, and, according to his custom, perverts the latter part of it. Jam concedo, ut vel *Philippici* vocentur, quod tū quādam epistola jocans scripsisti. Ep. Brut. ii. 5. The Dr. upon *Brutus's* authority observes, "That the name of *Philippics*, which seems to

"have been thrown out at first in gayety and jest only, being taken up and propagated by *Cicero's* friends, became at last the fixed and standing title of these Orations." Life of Cic. v. ii. p. 370. But *Plutarch* knew nothing of this piece of history, and tells us, with more probability, that *Cicero* inscribed these Orations at first with the title of *Philippics*, which continued to be the fixed and standing title; though succeeding writers took occasion from the matter of them to call them sometimes by the name of *Antonians*. The Dr. has another observation, "That *Plutarch* appears to have made little or no use of *Cicero's* *Philippic* Orations." Ib. Pref. p. xxv. Now *Plutarch* must have read with attention both these and the other Orations of *Cicero*;

He

He farther adds, that there were none of *Cicero's* contemporaries, of any reputation for eloquence and learning, whom he did not dignify by speaking for them or writing kindly of them. It is easy to shew, from the very facts which are mentioned in his single Life of *Cicero*, that *Plutarch* was a studier of the Letters to *Atticus*; nor is it possible to conceive that he should have very little curiosity about seeing all the Letters of *Cicero* and *Brutus*, whose Lives he writes, and whose Letters must be the very best *memoirs of the times*, which produced the principal Heroes of his History. The Vindicator therefore should not venture to say any thing more, than that if *Plutarch* had not seen any such Letters, as the suspected ones concerning C. *Antony*, he had heard at least, not of these Letters [q], but of *Cicero's* advising *Brutus* by letter to kill C. *Antony*. And I will venture in my turn to say, that the subject of this real Letter was such, as to preserve the memory of the fact; but yet to increase the improbability,

XXVIII. OF *Plutarch's* knowing no otherwise than by mere report, that *Cicero* advised *Brutus* by

since he could pronounce upon comparison, that the former are most elaborate of any. He must have read likewise *Cicero's* oratorical and philosophical works; since he speaks of his often making honourable mention of *Demosthenes*, and of his commending in his writings, without any mixture of envy, his ancient as well as modern competitors for fame, *Aristotle*, *Plato*, *Theophrastus*. He speaks in the

same place of *Cicero's* books concerning his Consulship, full of his own praises. He afterwards gives a description of his *Cato* and philosophical *Dialogues*, and remarks concerning his poetic faculty, that he was reputed to be capable of making 500 verses in a night. *Plut. in Cic. p. 872, 880, 1. Comp. p. 861.*

[q] *Mid. Pref. Diff. p. 96.*

letter

letter to kill *C. Antony*; if the *suspected* Letters upon that subject were then extant: when *Plutarch* appears to have been very conversant in most of *Cicero's* works, must have had great curiosity about both his and *Brutus's* Letters, as supplying the very best materials of History, and actually does cite them for *historical* uses in numerous places; particularly the Letters under *Brutus's* name, whether genuine or spurious, which related to the whole period of his *Macedonian* expedition.

I proceed to the *historical* oversights, chargeable on the Author of the *second* book of Letters, with regard to *Plancus* and *Lepidus*. The Sophist, in his account of *Plancus*, seems to have copied, to the best of his ability, the *familiar* Epistles; and enables us to make a discovery of his living some time after these Epistles were reduced to the form and disposition, in which they appear *at this day*. *Furnius* was the bearer of *Plancus's* first public Letter, in which he made apologies for his backwardness in declaring himself on the side of the Republic, and acquainted the *Magistrates*, the *Senate*, and the *people of Rome* with the state of his army; “ of his Legions, his Auxiliaries, and his forces “ [r].” The Sophist begins his Letter; “ From “ *Plancus's* Letter,” says he, “ a copy of which, “ I imagine, has been sent to you, you may have “ informed yourself of his *excellent affection* to the “ Republic, of his *Legions*, his *Auxiliaries*, and

[r] Si cui forte videor diutius
—spem Reip. de mea voluntate tenuisse suspensam,—C. Furnio legato — plura etiam
verbo quam scriptura mandata dedimus.— Legiones habeo v sub signis,—equitatus auxiliorumque tantas copias, quantas hae gentes—conficere possunt. Ep. Fam. x. 8.

“ his forces [s].” Upon this passage the Translator remarks, that *the Letter of Plancus here referred to was a public one* [mentioned above] *still extant; addressed to the Magistrates, Senate, and people of Rome* [t]. So far we are agreed. He goes on; The same public Letter of Plancus *was received and read in the Senate, on the 7th of April, of which Cicero gave Plancus an account in a Letter dated the 11th of April.* But this I beg leave to deny: for it was received some time before the 7th of April, of which Cicero gave Plancus an account in a Letter dated the 30th of March; where he tells us, that *Furnius* was the bearer of *Plancus’s* Letter [u]. The account, which Cicero gave Plancus of his Letter, was sufficient of itself to convince both the Sophist and his Vindicator of their error. For Cicero coldly excuses the Senate’s not decreeing an honourable approbation of his military dispositions, by alledging the absence of the Consuls; and tells him, “ that
“ the time for it is not ripe even yet; since true
“ honour is not the purchase of future services, but
“ the reward of services already done: wherefore
“ undertake,” says he, “ the cause of your country;
“ go to the relief of your Collegue,” *i. e. D. Brutus* [x]. *Plancus*, in a short time, sent by *Varifi-*

[s] Planci animum in Remp. egregium, legiones, auxilia, copias, ex literis ejus, quarum exemplum tibi missum arbitror, perspicere potuisti. Ep. ad Brut. ii. 2.

[t] *Mid. Ep. of Cic. p. 20. not. 1.*

[u] *Et si satis ex Furnio co-*

gnoram quae tua voluntas, quod consilium de Rep. esset, tamen, tuis literis lectis, liquidius de toto sensu tuo judicavi. Ep. Fam. x. 10.

[x] Quamobrem, mi Plance, incumbe toto pectore ad laudem, subveni patriae, opitulare collegae, etc. Ibid.

dius another public Letter, *now lost*, in which he acquainted the Senate with his *excellent affection to the Republic*, and with the services, which he had already done for it. This was the Letter *received and read in the Senate on the 7th of April*, where it occasioned a warm debate for two days successively, of which Cicero gave Plancus a much more sanguine account in a Letter dated the 11th of April [y]. Now Plancus's private Letter to Cicero, which was sent by Varisidius together with his second public Letter *now lost*, being immediately prefixed, in the present disposition of the *familiar Epistles*, to Plancus's first public Letter *still extant* [z]; hence the Sophist was induced to *jumble together* the contents of both those public Letters; taking his account of Plancus's *Legions, Auxiliaries, and Forces* from his first public Letter *still extant*; and of his *excellent affection to the Republic*, and of the *warm debate occasioned in the Senate for two days successively*, from the answer *still extant*, which Cicero gave to Plancus's second public Letter *now lost*. The Sophist therefore very pleasantly *imagines*, that Brutus informed himself of the real contents of two public Letters, which were sent by Plancus, by having the copy of one of them sent him by his friends.

In the next place, the Sophist promotes an artificial contrast between Plancus and Lepidus; and as

[y] Cum a. d. vii Idus April. mane mihi tuas literas M. Varisidius reddidisset, easque legissem, incredibili gaudio sum elatus. — Cave — putes ullas unquam literas graviores quam tuas in Senatu esse recitatas, etc.

Ep. Fam. x. 12. Breviorem me duae res faciunt, una, quod publicis literis omnia sum persecutus, altera, quod M. Varisidium — ad te transire jussi. Ep. 7.

[z] Ib. Ep. 7. 8.

he is observed to have enlivened his representation of *Plancus*, by bringing down “ his Legions, Auxiliaries, and Forces to join them with his excellent affection to the Republic ;” so the happy opposition of *Lepidus*’s character is created by taking up “ his levity, inconstancy, and perpetual disaffection to the Republic [a].” The Sophist’s *Letter must have been written about April 11th*, and expressly tells us, that *D. Brutus* was then blocked up in *Modena*, and almost reduced to the last extremity [b]. I asserted therefore, “ that the Sophistic *Cicero* is “ plainly prophetic, speaking of facts long before “ they happened ; since he passes a censure upon “ *Lepidus* before the battle of *Modena*, which censure could not be passed upon him by the true “ *Cicero* till long after that battle, and actually was “ passed upon him both by *Cicero* and every body “ else, on the single account of his uniting himself “ with *Antony* [c].” Before the event of *Modena*, the Public and the true *Cicero* entertained an equally good opinion concerning *Plancus* and *Lepidus* [d] ; and if it is argued, that *Antony* made pretences of friendship with *Lepidus* either before or shortly after the event of *Modena* ; he did the same with

[a] *Planci* animum in *Remp. egregium*,—*Lepidi*—levitatem et inconstantiam, animumque semper inimicum *Reip.* jam credo tibi ex tuorum literis esse perspectum. Ep. ad Brut. ii. 2.

[b] *Mid. Ep. of Cic.* p. 20. not. 1. Est enim spes omnis in *Bruto* expediendo, de quo vehementer timebamus. Ep. ad Brut. ib. Quanquam in upo proelio

omnis fortuna *Reip.* disceptat, quod quidem, cum haec legeres, jam decretum arbitrabar fore. Ep. Fam. x. 10.

[c] *Epist. ad C. Middleton.* p. 229.

[d] *M. Tull. ad Caes. jun.* l. 1. Erat opinio bona de *Planco*, bona de *Lepido*. Non. in voc. *Opinio*.

Plancus,

Plancus, and at the very same times [e]. The good opinion concerning both these Generals prevailed for the whole interval between the event of *Modena* and *Lepidus*'s union with *Antony* [f]; and the true *Cicero*, in particular, expresses "the universal expectation of the war being over, before the act of *Lepidus*'s uniting himself with *Antony* [g]." He tells us still more fully, "that when they imagined the war to be at an end, they were brought into anxiety again *all on a sudden* by *Lepidus* [h], i. e. by his uniting himself with *Antony*. This is exactly agreeable to the ideas of the *Cicero*, who speaks in the *first* book of the *suspected* Letters, and tells us expressly; "that *Lepidus*, after he was dignified with the greatest honours by the Senate, and had written, a few days before, *an excellent Letter* to them; *all on a sudden* not only received the remains of the enemy, but was waging a most cruel war both by land and sea [i]." It is remarkable, that the true *Cicero*, within *ten days* of *Lepidus*'s uniting himself with *Antony*, did not

[e] Phil. xiii. 19. Ep. Fam. xi. 11.

[f] Ut cognovit Antonium post fugam a M. Lepido receptum, ceterosque duces—confentire pro patribus,—Suet. in Aug. c. 12.

[g] Nos, confecto bello, ut arbitrabamur, renovatum bellum gerimus. Ep. Fam. xii. 8. "Cicero imagined, that they were freed by the victory of *Modena* from all farther danger in *Italy*; but their apprehensions were renewed more strongly than ever by *Anto-*

ny's union with *Lepidus*." Mid. Ep. of Cic. p. 69. not. 5.

[h] Nos, confectum bellum cum putaremus, repente a Lepido tuo in summam sollicitudinem adducti sumus. Ep. Fam. xii. 9.

[i] Cum honoribus amplissimis a Senatu esset Lepidus ornatus, tum etiam paucis ante diebus praeclaras literas ad Senatum misisset; repente non solum recepit reliquias hostium, sed bellum acerrimum terra marique gerit. Ep. ad Brut. i. 12.

entertain

entertain the least *apprehension* of Lepidus's *disaffection*; but argue, in the very same manner, from the *Letter* which he sent to the Senate, inviting them to measures of peace [k]. But what is most remarkable; our Sophist writes to *Brutus*, the *kinsman* of *Lepidus*, before the battle of *Modena*, concerning *Lepidus's* *levity*, *inconstancy*, and *perpetual disaffection to the Republic*; and yet was so blind as not to see, that he was copying the character, which the *true Cicero*, in a *Letter* to *Cassius*, another *kinsman* of *Lepidus*, had drawn from the very act of his uniting himself with *Antony* [l].

It were easy to multiply historical testimonies to the same effect. *Dio* relates, “ that, before the
“ battle of *Modena*, *Lepidus* did not declare his af-
“ fections either one way or other; because he re-
“ tained some regard for *Antony* his kinsman, and
“ was required to march against him by the autho-
“ rity of the Senate; and because he would secure
“ a retreat to either side, as affairs should turn out
“ [m].” It appears from *Paterculus* and *Plutarch*, that *Antony* passed the *Alps* in his flight from *Modena*, without any previous assurances of *Lepidus's* espousing him; and, when he arrived at *Lepidus's* camp, was forced upon expedients at last to obtain

[k] Nec vero Lepidum timebamus. Quis enim esset qui illum tam furiosum arbitraretur, ut qui in maximo bello *pacem* *velle* se dixisset, is in optatissima pace bellum Reip. indiceret. Ep. Fam. xi. 18.

[l] Lepidi tui *necessarii*, qui — *affines* habet, quos oderit, — levitatem et inconstantiam, ani-

mumque semper inimicum Reip. jam credo tibi ex tuorum literis esse perspectum. Ep. ad Brut. ii. 2. Scelus *affinis* tui Lepidi summamque levitatem et inconstantiam ex actis — cognosse te arbitror. Ep. Fam. xii. 8.

[m] Dion. Hist. Rom. p. 316.

reception from him; which account is farther confirmed by *Appian* [n]. I may add still a modern authority, which will always be allowed its due weight in conjunction with the old Historians. The *Ciceronian* Biographer relates, that Cicero *managed* Lepidus *so well, that he forced him to stand neuter till the affairs of Italy were decided*, i. e. till the battle of *Modena*: nay, more than a *month* after that battle, and within *two days* of *Plancus's* hearing the news of *Lepidus's* union with *Antony*; *Lepidus*, he says, *dissembled so well as to persuade Plancus and Laterensis, his own Lieutenant, of his sincerity* [o]. And must now the *true Cicero*, in another edition of the *English* Life, want this honourable testimony concerning his notable *management* of *Lepidus*; in order to an awkward vindication of his ignorant Mimic, who declares, “ that *Lepidus* had
 “ given a notorious proof of his levity, inconstancy,
 “ and disaffection to the Republic, *above six weeks*
 “ before [p] ?”

THE Vindicator allows, that the suspected Cicero *censures here so severely a particular instance of Lepidus's disaffection* [q]; and therefore what is alleged in his defence, from the *general* character of *Lepidus*, who was certainly *jejune, wrong-headed, and variable as the wind* [r], is quite impertinent. He denies however, that this *particular instance, as*

[n] Plut. n. Ant. p. 923. Pat. l. 2. c. 63. Appian. De bell. civ. p. 579, 80.

[o] Life of Cic. v. ii. p. 404, 446.—Scripsique tibi *biduo* ante, confidere me, bono Lepido esse usum, communique consilio bellum administratu-

rum. Credidi chirographis ejus, affirmationi praesentis *Laterensis* etc. Ep. Fam. x. 21.

[p] See *Mid. Ep. of Cic.* p. 20. not 2.

[q] Ibid.

[r] Pref. Diff. p. 98. Ep. Fam. x. 21. xi. 9.

I interpret the passage, *was the act of receiving Antony into his camp, after his flight from Modena; for that, says he, was above six weeks later than the date of the suspected Letter.* The *Lepidianism* of this argument will appear when it is remembered, that I looked upon the *severe censure* as plainly *prophetic*, and *speaking of facts long before they happened*; but this, it seems, cannot be admitted, because the *fact* said to be *prophefied* of was *later* than the time in which the *prophecy* is supposed to be uttered. Again, the *fact*, which gave occasion to the *censure*, is pretended to be *Lepidus's sending a body of troops to Antony's assistance before Modena, under two of his Lieutenants, Silanus and Cülleo*; and yet it is confessed at the same time, that *Lepidus disclaimed the act of his Lieutenants, who marched with a detachment to Antony's assistance; declaring it to have been done against his will [s].* But this *act*, as all people then imagined, *was done by Lepidus's order, but most certainly by his connivance [t].* If it was done most certainly by *Lepidus's connivance*, and *Dio* tells us expressly, that *Silanus* did not act by *Lepidus's order [u]*; then this is a most certain instance, not of *Lepidus's perpetual disaffection*, but his *inviolable neutrality*; which was enough, and what all people expected from him. For, that neither the *true* nor *suspected Cicero*, nor *Plancus*, nor *Laterensis*, nor the people of *Rome* entertained the least *imagination* of *Silanus's* acting by *Lepidus's order*; has been already proved. After all, what was the act of these two *Lieutenants*?

[s] Ep. of Cic. p. 21. not. 2.
Pref. Diff. p. 98.

[t] Pref. Diff. p. ib.

[u] Οὐδὲν σαφὲς Μάρκῳ Σιλα-
νῶ τῷ στρατιώτῃ ἐνετείλατο. Dion.
Hist. Rom. p. 316.

Silanus marched with a *Prætorian cohort* to the assistance of *Antony*, and arrived so near the time of the first engagement before *Modena*, that *Dio*, the *Vindicator's* own authority, places his arrival *after* the engagement, which happened on *April 15th* [x]. Now the *true Cicero* could have heard nothing at *Rome* concerning *Silanus's* assisting *Antony* in less than *five days* after; and yet the *suspected Letter*, in which the severe censure of *disaffection* is passed upon *Lepidus*, and which signifies that *D. Brutus* was still blocked up in *Modena*, must have been written about *April 11th*, i. e. it must be plainly *prophectic*, and speak of a fact *four days* before it really happened, and *nine days* before the *true Cicero* could hear of it. It does not yet appear, that *Culleo*, the other Lieutenant, was at all concerned in the action before *Modena*; and he probably joined *Antony* in his flight over the *Alps* [y]; which gave *Lepidus* the occasion to excuse the act of his *two* Lieutenants, in a Letter dated *May 22^d*; where he makes the fairest professions of *affection to the Republic*, and is very thankful for the *good opinion*, which was even then entertained of him by the *true Cicero* [z].

XXVIII. WE are agreed, that the *suspected Cicero*, in a Letter written about *April 11th*, refers to some *particular act* of *Lepidus*, “in censuring so severely his levity, inconstancy, and perpetual disaffection to the Republic.” That this censure

[x] Dion. Hist. Rom. p. 316. Conf. Ep. Fam. x. 30.

[y] Appian. p. 579.

[z] Quod ad bellum hoc attinet; nec Senatui, nec Reip. deerimus.—Non dubito,—quin nonnulla de me falsis ru-

moribus—ad te delata sint.—Ea te moderate accepisse, neque temere credenda judicasse, a meis procuratoribus certior sum factus; quæ mihi, ut debent, gratissima sunt. Ep. Fam. x. 34.

must

must be founded on the presumption of an act, which was *future* at that time, I have proved from the concurring testimonies of antient Historians and a modern Biographer, from the judgments of *Plan-
cus*, *Laterensis*, and all people; nay, from the ex-
press assertions of both the *suspected* and the *true
Cicero's*; who declare, that *Lepidus* did no act, which
could be the foundation of such a censure, before
his uniting himself with *Antony*; upon which act
the *true Cicero* did in fact express a censure upon
him almost in the very same words. The act of
Lepidus's Lieutenants, in giving assistance to *Anto-
ny*, could not be the real foundation of a censure, ex-
pressed in a Letter of *April 11th*; first, because it had
not then happened; much less could it be known
to the *true Cicero*: Secondly, it did not then, nor
does it even now appear to have been the act of
of *Lepidus*: Nor, lastly, was it *looked upon* by any
as an instance “ of *Lepidus's* levity, inconstancy,
“ and perpetual disaffection to the Republic.”

WE need not wonder, that the *suspected Cicero*
should be so *plainly prophetic* in this instance, and
speak of a fact *above six weeks* before it really hap-
pened; for he speaks, in the same place, of “ *Le-
“ pidus's* hating *Brutus* and *Cassius*, his Brothers-
“ in-law, the most next to his own Brother,” *i. e.*
Paullus Æmilius Lepidus, who was afterwards pro-
scribed by the Triumvirate, with the consent of his
Brother Lepidus the Triumvir [*a*]. The reason,
which the Historians assign, of *Paullus's* being pro-
scribed, was his promoting a decree of the Senate,

[*a*] Lepidi tui necessarii, qui —animumque—credo tibi esse
secundum fratrem affines habet perspectum. Ep. ad Brut. ii. 2.
quos oderit proximos, levitatem Mid. Ep. of Cic. p. 21. not. 3.

on the *last* of *June*, “ by which *Lepidus* and all
 “ those who had deserted the Republic together
 “ with him were adjudged enemies to the State [*b*].”
 According to the Sophist then, *Lepidus*’s perpetual
 disaffection determines him at once to hate *Brutus*
 and *Cassius* in a very great degree; but to hate his
Brother Paullus in a still greater degree, because he
 was to vote him an enemy near *three months* after-
 wards. The Vindicator leaves me the uncontested
 possession of this instance of the Sophist’s *prophetic*
 character; but differs with me about an *historical*
 point, asserting that *Paullus* was proscribed by the
Triumvirate, with the consent of his Brother, for a
 motion which he made in the Senate, that the fourth
 and Martial Legions, which had put themselves under
 the command of *Octavius*, should be delivered up by him
 to *D. Brutus* [*c*]. Now this assertion, should we be-
 lieve it upon his bare word, will reduce the interval
 between the prophecy and the event foretold to some-
 thing less than a month; for the motion to transfer
 the Legions to *D. Brutus* could not be made before
 the Senate heard of the death of *Hirtius*, under
 whose command the two Legions fought before *Mo-*
dena [*d*]. However there will still be a real pro-
 phecy; such as cannot naturally be resolved into *Ci-*
cero’s political divination [*e*]. For the motion, which
Paullus made about the Legions, is a proof of his
 acting, at this time, a contrary part to what he ac-
 ted before the defeat of *Antony*; and of his appear-
 ing to be zealous in the cause of the Republic [*f*].

[*b*] Appian. De bell. civ. p.
 595. Pat. l. 2. c. 66, 7. Ep.

Fam. xii. 10.

[*c*] Mid. Ep. of Cic. p. 21.
 not. 3.

[*d*] Phil. xiv. 10. Ep. Fam.

x. 30.

[*e*] Mid. Pref. Diff. p. 107.

[*f*] Ib. Ep. of Cic. p. 21.

not. 3.

Whence

Whence we may gather, that the part in politics, which *Paullus* was acting at the date of the Sophist's Letter, could not make him so *eminently bated* by his Brother *M. Lepidus*, who was himself *perpetually disaffected to the Republic*.

I return to the *historical* and *prophetic* characters of the Letters of the *first* book. The *ninth* of these Letters is a formal *consolation*, addressed to *Brutus*, on the *death* of his wife *Porcia*. This we are given to understand by a Letter under *Brutus's* name, which was written about the same time, and applauds *Atticus's* care of her during her *sickness* [g]. *Plutarch* likewise makes mention of a *short* Letter, which was *banded about* and of a *suspicious* character; in which *Brutus* complained to his friends at *Rome* of their *neglecting Porcia* in her *sickness*, and of being the occasion of her *death* [h]. It appears however from the same passage of *Plutarch*, that *Nicolaus Damascenus*, an Author of great credit, who was contemporary with *Porcia* herself, and *Val. Maximus*, an Historian of the following age, related the extraordinary manner, in which *Porcia* destroyed herself upon receiving the news of her husband *Brutus's* death [i]. There is a celebrated

[g] *Fungerer officio, quo tu functus es in meo luctu, teque per literas consolarer, etc. Ep. ad Brut. i. 9. Valitudinem Porciae meae tibi curae esse non miror. Ep. Brut. ib. 17.*

[h] Φέρειά τις ἐπιστολή Βρούτου πρὸς τὸς φίλους, ἐγκαλῆνός καὶ ὀλοφυρομένη περὶ τῆς Πορκίας, ὡς ἀμεληθείσης ὑπ' αὐτῶν, καὶ προελομένης διὰ νόσον καὶ ἀλιπεῖν τὸν βίον.

—Τὸ ἐπιστόλιον, εἴπερ ἄρα τῶν γνησίων ἐστίν. *Plut. in Brut. p. 1009.*

[i] Πορκίαν δὲ τὴν Βρούτου γυναῖκα Νικίλαος ὁ φιλόσοφος ἱστορεῖ, καὶ Οὐαλέριος Μάξιμος, βελομένην ἀποθανεῖν, ὡς ἑδὼς ἐπέτρεπε τῶν φίλων, —ἐκ τῆς πρὸς ἀνασπάζουσαν ἀνδρακίς καὶ ἀλιπεῖν, καὶ τὸ σῶμα συγκλείσασαν καὶ μύσασαν, ἔτω διαφραξῆναι. *Plut. ibid.*

Epigram of *Martial* still extant, which confirms the same relation, and gives us reason to believe, that the fact was of public notoriety and received upon the credit of universal tradition in *Martial's* time [k]. Hence I argued, "That our Sophistic consolation was probably formed upon the plan of the *suspected* Letter, under *Brutus's* name, which is mentioned by *Plutarch*; since, besides a poverty of sentiment and meanness of composition, hardly to be paralleled from any writing of pure antiquity, it delivers nothing *characteristic* of the subject on which it is written; as if the Sophist was afraid to *express* what he would be thought to *mean*; because *Plutarch*, who suggested to him the occasion of his Letter, had told him likewise, that he might have saved himself the trouble of it [l]."

THE Vindicator constantly *understands*, that this Letter of condolence, from Cicero to Brutus, relates to the death of Porcia, Brutus's wife [m]; though he does not think it necessary to shew how the Letter can be party and evidence in the same cause; or how its evidence can be opposed to the *historical* tradition of *Porcia's* really surviving *Brutus*. However, he thinks it *not credible*, that a Sophist, who

[k] Conjugis audisset fatum cum Porcia Bruti,
Et subtracta sibi quaereret arma dolor:
Nondum scitis, ait, mortem non posse negari?
Credideram fatis hoc vos docuisse Patrem.
Dixit: et ardentem avido bibit ore favillas:
I nunc, et ferrum, turba molestâ, nega.

Martial. Epigr. i. 43.

[l] Epist. ad C. Middlet. p. 231, 2, &c.

[m] *Mid. Pref. Diff.* p. 99.
Life of Cicero, v. ii. p. 441.

had

had taken the bold resolution to contradict all history, should be so bashful at the same time, as to involve what he had to say in such obscurity, that NO BODY should be able to understand it [n]; and yet what is said is confessedly involved in such generality only, that both he and I are very able to understand the Sophist's meaning. He proceeds to apologize for the poverty and jejuneness of the composition by alledging the circumstances, in which Brutus then was, at the head of the most important and critical affairs, in which a mortal could be engaged; on which account this Letter, as short and slight, says he, as it appears, was more agreeable to the prudence of Cicero, than the most studied composition on the same argument could possibly be [o]. As if it was agreeable to the prudence of Cicero, to write ill because Brutus was very busy; or as if the Letter did not bear all the characters of a studied composition, being full, from beginning to end, of trifling antitheses without the least beauty of style or variety of sentiment. Lastly, the most singular instance of reserve concerning the subject of the consolation, which it has puzzled the best Critics to find out [p], is accounted for because it

[n] *Mid. Pref. Diss.* p. 100.

[o] *Ib.* p. 101.

[p] *Assequi non possum, quia in re tantam jacturam fecisset Brutus, aut quod accepisset tantum vulnus, ut hac tam exquisita consolatione indigeret. — Quid autem fuerit, cum diligenter et accurate cogitaverim, reperire, verum ut fatear, non queo. Manut. in Ep. ad Brut. ii. 9. Manutius was of opinion,*

that the consolation could not be applied to Porcia's death, because true history would not admit of such application, and because Brutus, in a following Letter, mentions Porcia's sickness. But we have observed, that this learned person often mistakes the sense of these Letters through an endeavour to reduce them to a conformity with true history; nor was he

is natural to imagine, that Cicero, writing upon the death of a beloved wife, should chuse, out of good manners and a regard to Brutus's tenderness, to avoid the mention of her name, or to dwell upon her personal qualities [q]. But is it not full as natural to imagine, that the true Cicero should chuse to say nothing professedly on a subject so tender and dejecting, that he could say nothing to the purpose? Or, if he must, out of good manners, compliment Brutus with a set consolation, would he roundly tell him, by way of character, "That he had lost something, which did not leave its fellow upon earth [r];" and yet studiously avoid, not only to dwell upon Porcia's personal qualities, but to acquaint us with her real personality itself? I own myself much rather inclined to save the Sophist's credit, and would apologize for this insipid compliment and enveloped description, as well as the general futility of the Letter of condolence, by saying,

XXIX. THAT the restraint arising from the force of historical truth would not allow the genius to characterize the subject of the consolation, to expatiate in variety, and to collect the cases of similar misfortune; since the Sophist might be convinced from the very passage, which he was transcribing from Plutarch, that Porcia was most certainly living at the time when the consolation pretends to be written upon her death.

aware of the œconomy, which the Letter-writer constantly affects, in making the two correspondents play into each other's hands, with regard to the

mention of events.

[q] *Mid. Pref. Diff* p. 100.

[r] *Id enim amisisti cui simile in terris nihil fuit. Ep. ad Brut. ii. 9.*

BRUTUS,

BRUTUS, on the other hand, writes a Letter to Cicero, in commendation of *Vetus Antistius*, the bearer, "at a time when Brutus supposed the Consuls to be *living*: whereas it appears from the matter of this and other Letters, that, when he wrote it, he must have heard of the battle before *Modena*, and consequently of the death of the Consuls [s]." Here, again, the Vindicator may think it very strange, that a cunning Sophist should be so forgetful of himself in a short Letter, as to contradict in one line what he affirms in another [t]; but we will pass on to the proof. "*Vetus Antistius*," says Brutus, "is so well affected to the Republic, that I do not doubt, but if he could have been present at the conjuncture, he would have shewn himself a most strenuous assertor of our common liberty, both against Cæsar and Antony [u]." The phrase, *occasione occurrere*, signifies to be present at a special conjuncture, not to meet with an occasion in general; as the Translator, according to his manner of attending, in the first place, to the sentiment, and, in the next, adhering to the letter, understands it [x]. The conjuncture or occasion then of acting both against Cæsar and Antony, at which *Vetus* could not be present, was no other than the battle of *Modena*. This the application, at least, of

[s] Ep. Brut. i. 11. Ep. ad C. Middlet. p. 238, 9.

[t] *Mid. Pref. Diff.* p. 102.

[u] Veteris Antistii talis animus est in Rempublicam, ut non dubitem, quin et in Cæsare et Antonio se præstaturus fuerit acerrimum propugnatorem com-

munis libertatis, si occasione potuisset occurrere. Ep. Brut. ib.

[x] Ib. p. 102. See p. 127. Kal. Sextilibus Senatum frequentem fore; — non quomæ ad tempus occursurum putarem. Phil. i. 4.

the phrase must necessarily require ; unless the Vindicator will please to mention *one* of his *many occasions*, in which Vetus, had he been at Rome, while he resided in the Provinces, would have joined with the friends of liberty, in declaring and acting both against Cæsar and Antony long before the battle of Modena [y]. I assert, that he cannot mention *one*, without imitating the Sophist's *cunning*, by *contradicting* in one line what he affirms in another. He tells us expressly, that *this* Vetus, who appears now to be so well affected to Brutus, had been Proprætor of Syria during Cæsar's reign, and a LITTLE BEFORE HIS DEATH was besieging Apamea, possessed by Cæcilius Bassus, one of the Pompeian commanders [z]. As Brutus then might very well doubt, whether Vetus would have joined with the friends of liberty against Julius Cæsar ; nor could it be said with any propriety, that he would have acted both against Cæsar and Antony, during J. Cæsar's reign ; so the suspected Brutus could not, consistently with his own principles, say that Vetus would have been a strenuous assertor of the common liberty in acting against Cæsar and Antony, before the battle of Modena. Brutus plainly derives all his jealousies of Cæsar Octavianus from the event of that battle ; and his Annotator affirms, that Brutus, on the account of the great power, of which Octavianus was now possessed, by the unexpected death of the two Consuls, was afraid that he would aspire to the Consulate [a]. Whatever ostentation therefore he may

[y] *Mid. Pref. Diff.* p. 103. Cicero, *nunc* agendum est, ne

[z] *Ep. of Cic.* p. 44. not. 1. frustra oppressum esse Antonium

[a] *Ib.* p. 79. not. 5. *Nunc*, gavisi sumus ; neu semper primi

make of his many occasions, in which *Vetus* would have acted both against *Cæsar* and *Antony*; yet no occasion can be of use to any of us all three, except the battle of *Modena*; and unless that battle, together with the occasion arising thence of acting against *Cæsar Octavianus*, be referred to in *Brutus's* words, not only the contradiction, charged upon the Sophist by me, but the Sophist and his Vindicator too must fall to the ground.

THAT *Brutus*, when he wrote his Letter, must have heard of the death of the Consuls, I proved, in the second place, from the Letter's telling us; "That *Vetus* came to sue for the *Prætorship*, under " a strict engagement of returning to *Brutus* DIRECTLY, if the Consuls should not hold an election " of the *Prætors* [b]." Now this very proviso of *Brutus* carries the appearance of prophetic conjecture; for why should he imagine the Consuls to be now at *Rome*, and yet not willing to hold the elections at the regular times? *Vetus* then immediately found the case to be what *Brutus* suspected, and was returning to him about the beginning of July [c], i. e. ten weeks after the death of the Consuls had been heard of at *Rome*; by the computation of these Letters [d]. The Vindicator, rather than admit the easy supposition of *Vetus's* returning directly,

cujusque mali excidendi causa sit, ut aliud renascatur illo pejus. Ep. Brut. i. 4.

[b] Statim vero rediturum ad nos confirmavit, — nisi Prætorum comitia habituri essent Consules. Ep. Brut. i. 11.

[c] *Mid. Pref. Diff.* p. 104. Ep. of Cic. p. 120. not. 2. *Ve-*

tus is the bearer of *Cicero's* Letter to *Brutus*, which refers to the Senate's decree of the last of *June*, by which *Lepidus* was declared an enemy to the State. Ep. ad Brut. i. 12. Conf. Ep. Fam. xii. 10.

[d] Ep. ad Brut. i. 3.

according

according to his promise, will needs be his Casuist and Procurator too; alledging, *that a person of Vetus's rank, who had governed a Province and been long absent from Rome, might find business there at his return, enough at least to detain him for three or four months* [e]. As if *Vetus* did not know, that he was a person of rank, had governed a Province, and been long absent from Rome; notwithstanding all which he could engage not to be detained by the business he might find there, but to return directly. But this business ought to be enough to detain *Vetus* at Rome, not only for three or four, but at least for six months. For *Brutus*, when he wrote his Letter by *Vetus*, supposed both the Consuls to be living and at Rome; whereas *Hirtius*, the Consul, led out an army against Antony in January, and never returned to Rome [f].

VEtus therefore must find some extraordinary business to detain him, and what he did not expect; namely, the difficulty of making an election of *Prætors*, occasioned by the unexpected death of the Consuls; since no other Magistrate could regularly call an assembly of the people for that purpose [g]. Now this obvious reason for *Vetus's* stay, suggested by the circumstances of the times, would subsist almost two months longer than *Vetus* actually did stay; since no new Consuls were made till the 19th of the August following [h]. But *Cicero*, it is still farther alledged, by his personal authority, got the elections postponed to

[e] *Mid. Pref. Diff.* p. 104.[f] *Ib.* p. 103.[g] *Ibid.* p. 104.

[h] Καὶ ὁ μὲν [Ἀνγύριος] οὐ-

τω τῇ ἐννεακαιδεκάτῃ τῆς Ἀυγύστου, ἐν ᾗ πρὸς τὸ πρῶτον ὑπάτευσεν, μεταλλάξε. *Dion. Hist. Rom.* p. 590.

the January following [i]. Should we allow, that the elections were ever *actually postponed*, for which fact we depend on the *single* authority of the Letters; yet these Letters themselves dismiss *Vetus* as much *sooner* on that head, as the *want of Consuls* dismisses him *later* than *Vetus* did return. For *Brutus*, in a Letter dated *May 16th*, having sent *Cicero* word, that he would advise with his Son concerning his coming to *Rome*, in order to offer himself Candidate at the election of Priests; “*Cicero* “*instantly dispatched a messenger*, to meet him on “the road, with orders to send him back again, “though he found him landed in *Italy*,” and had acquainted him by letter *several times before*, “that “by his personal authority he had got the elections “postponed to the *January* following [k].”

THE last proof of *Brutus*’s writing his Letter by *Vetus* at a time when he must have heard of the death of the Consuls, was taken from the quality of the *only business*, upon which *Vetus* came, of his *suing for the Prætorship*. *Vetus* then, who could promise to *return directly*, if the *Prætorian* elections should not come on, must have set out from *Bru-*

[i] *Mid. Pref. Diff.* p. 104. *Life of Cic.* v. 2. p. 443.

[k] Ego autem, cum ad me de Ciceronis abs te discessu scripsisses, *statim* extrusi tabellarios literasque ad Ciceronem; ut, etiamsi in Italiam venisset, ad te rediret.—*Quamquam aliquoties ei scripseram*, sacerdotum comitia mea summa contentione in alterum annum esse rejecta. *Ep. ad Brut.* i. 14. Filius tuus a me abest. In Macedonia con-

grediemur.—Cum eum videro, quoniam nobis permittis, *communiter constituemus de reditu* ejus ad petitionem. *Ep. Brut.* ib. 6. Hence Dr. M. collects, that *Brutus* had sent *Cicero* word, “that his Son had actually left him, and was coming towards *Rome*.” *Life of Cic.* v. 2. p. 443. “*Brutus* “had actually sent away young “*Cicero* towards *Rome*.” *Ep. of Cic.* p. 140. not. 2.

tus near the *supposed* time of those elections. Accordingly I observed, that *Furnius*, *Plancus's* Lieutenant in the *Nether Gaul*, was for coming to *Rome* upon the same errand, when he should be *extinguishing the few shattered forces with which Antony had fled from Modena* [l]. Indeed the Sophist very probably took his hint of writing concerning *Vetus's* Candidateship from this case of *Furnius*; but has happily enabled us to detect him by his well known art of contradicting the very Writer whom he copied. *Furnius*, in a Letter of still later date, tells the *true Cicero*, “ that he imagines the elections “ are over; but, if they were postponed to *August*, “ he would come to *Rome* directly and sue for the “ Prætorship [m].” *Cicero* returns answer, “ that “ he need not give himself trouble about the elections; for he was endeavouring all he could to “ get them postponed to the *January* following [n].” Now the *Sophistic Cicero*, we have seen, had written to his Son a *considerable time before*, “ that he “ had got the elections *actually postponed* to the following year.” Again, the *true Cicero* tells *Furnius*, “ that he was endeavouring all he could to postpone the elections on many accounts regarding “ the public service [o].” The other *Cicero*, as

[l] Si interest — Reip. te — navare operam, rebusque maximis, quæ ad *extinguendas reliquias belli* pertinent, interesse, nihil videris — honestius facere posse: istamque operam tuam — *celeritati Præturæ* anteponebam censeo. Ep. Fam. x. 25. Ep. ad C. Middleton. p. 240.

[m] Scribis enim, si in *Sexti-*

lem comitia, cito te: sin jam confecta, citius, ne diutius cum periculo fatuus sis. Ep. Fam. x. 26.

[n] Comitia tamen, quum ex his pendes, *quantum facere possumus*, — in *Januarium* mensem *protrudimus*. Ib.

[o] Comitia, — *quantum facere possumus*, quod multis de

might be expected from his *Sophistic* ideas, tells *Brutus*, “ that *after the greatest struggle* he had got the
“ elections postponed on the account of his Son and
“ the other young Candidates for the Priesthoods
“ [p];” who were in *Brutus’s* camp, and would
otherwise want the advantage of suing for them *in person*.

XXX. THAT *Brutus* “ supposes, in his Letter
“ sent by *Vetus*, the Consuls to be *living* at a time
“ when both this and other Letters declare, that he
“ must have heard of their *death* ;” is plain from
his saying, “ that *Vetus* would have been a stren-
“ uous assertor of the common liberty both against
“ *Cæsar* and *Antony*, if he could have been present
“ at a *certain conjuncture* ;” which conjuncture can
be no other than the battle of *Modena* :——from his
writing by *Vetus*, who was under an *engagement* of
returning from *Rome directly*, if the *Prætorian* elec-
tions were not held there ; but really did not re-
turn till after the *beginning* of *July*, of which no ac-
count can be given but that he had arrived at *Rome*
immediately before :——and, lastly, from a parallel
instance of *Furnius’s* intending to come to *Rome* a-
bout the same time and upon the same business ;

causis Reip. arbitramur conducere, in Januar. mensem protrudimus. Ep. Fam. x. 26.

[p] — Sacerdotum comitia mea summa contentione in alterum annum esse rejecta: quod ego cum Ciceronis causa elaboravi, tum Domitii, Catonis, Lentuli, Bibulorum: quod ad te etiam scripseram. Ep. ad Brut. i. 14.
I look on this *apocryphal* intel-

ligence of the elections being *actually postponed*, as a contrivance of the Sophist, that he might decently dismiss the subject of young *Cicero’s* and these other Noblemen’s leaving *Brutus’s* camp, in order to offer themselves Candidates at *Rome*. See an instance of the like contrivance already taken notice of p. 251. not. y.

Y : which

which instance is plainly copied, and faultily copied by *Brutus* and his correspondent *Cicero*.

BUT the most glaring blunder of *Cicero* the Copyist is, “that though he speaks of his greatest struggle in getting the elections postponed to the following year; yet he had mentioned, in a former Letter, a reason of delaying them, which would make it absolutely impossible, that they should be held till the end of the present year; if they could be held even then:” For he had advanced a position, “that the Pontifical and Prætorian elections must be delayed for a long time on account of the *Auspices*, which could not revert to the Patrician Senators as long as one Patrician Magistrate continued in the State [q].” The Vindicator confesses, that *Manutius* was puzzled how to solve this difficulty, and promises a satisfactory account of it in his notes [r]; whither we are regularly referred again for a little hypothesis, which dares not make its appearance in the open light. For

[q] Nunc per auspicia longam moram video. Dum enim unus erit patricius magistratus, auspicia ad patres redire non possunt. Ep. ad Brut. i. 5. The right of taking the *Auspices*, for the business of the election of Prætors, was lodged in the Consuls; but when there happened to be no Consul, then the *Auspices* fell into the hands, not of the Senate in general, but of the Patrician Senators only, who chose an *Interrex* out of their own body to preside in the election of new Consuls, in the first

place; and these Consuls could regularly preside in the elections of Prætors, and therefore provide for the supply of all the inferior magistracies. Ep. ad Att. ix. 9. Comp. *Mid.* Ep. of *Cic.* p. 69. not. 10.

[r] Scripseram, sacerdotum comitia mea summa contentione in alterum annum esse rejecta. Ep. ad Brut. i. 14. Cur, summa contentione? Nam in alterum annum, etiam nemine contentente, produci ea necesse erat. *Manut.* in loc. *Mid.* Pref. Diff. p. 105.

when we come to *the notes*; they give us the very same account which *Manutius* gave, and which he professed to give because *some account must* be given, viz. *That the Prætors perhaps might be proceeding to those elections* [s]. He introduces this expedient of making the elections, in order to put *Cicero* to the expence of the *greatest trouble* in getting them postponed, with a flat contradiction to *Cicero's* own text. *Cicero*, says he, *upon the unexpected case of the death of the Consuls*, not knowing at first *what the Senate or the Prætors either would or could do*, with regard to the vacant Priesthoods, and the creation of the other Magistrates, expresses his apprehensions in the tenth Letter (Ep. i. 5.) of much difficulty and delay in that affair. But *Cicero*, in this Letter, plainly does know at first, and expresses his assured judgment, “ that “ the Senate, i. e. the Patrician Senators, could “ not declare an *Interrex* for the creation of Priests “ and Magistrates, as long as one Patrician Magistrate continued in the State;” on which very consideration he likewise “ foresees an eventual delay of the elections” to the end of the year; whence he plainly appears not to have entertained at first the least imagination of the *Prætors proceeding to those elections in the mean time*.

THAT the true *Cicero* could not entertain any such imagination, I proved from the judgment, formerly delivered by him upon a fact, which the *Vindicator* has indeed ventured to relate in part. “ In the beginning of the civil war between *Cæsar*

[s] Forte (tale enim aliquid [comitia] Prætor. Manut. ibid. est cogitandum) habuisset ea. *Mid. Ep. of Cic. p. 141. not. 3.*

“ and *Pompey*, *Cæsar* being resolved to be Consul
 “ for the following year, a question was started,
 “ whether in the absence of the Consuls, who were
 “ abroad in *Pompey*’s camp, the *Consular* election
 “ could not be made by a *Prætor*.” When a noted opinion had been given in the affirmative, *Cicero* exclaimed against the author of it as a *most scandalous* and *sordid* time-server; declaring, that the creation of *Consuls*, or even *Prætors*, by a *Prætor* was contrary to the *express words* and the *reasoning* of the *Law*; nor even had so much as *one precedent* in practice [*t*]. *Cæsar* therefore, being unwilling to attempt so flagrant a violation of the constitution, and yet not daring to trust to the event of an *Interregnum*, which must of course ensue upon the expiration of the *Consular* office [*u*]; was driven upon another expedient, the less unconstitutional of the two, of being declared *Dictator* by *M. Lepidus* the *Prætor*, in consequence of a *law of the people*, which specially invested him with that extraordinary power [*x*].

BUT now our *satisfactory account* supposes, that the city, by an *habitual patience* under the daily *subversion of their laws* during *Cæsar*’s reign, were grown

[*t*] Iste omnium turpissimus et sordidissimus, qui Consularia comitia a Præatore ait haberi posse. Est ille quidem, qui semper in Rep. fuit.—Nos autem in libris habemus non modo Consules a Præatore; sed ne Prætores quidem creari jus esse, idque factum esse nunquam. Consules, eo non esse jus, quod majus imperium a minore rogari non sit

jus: Prætores autem, cum ita rogentur ut collegae Consulium sint, quorum est majus imperium. Ep. ad Att. ix. 9.

[*u*] Per magni ejus interest, rem ad Interregnum non venire. Ib.

[*x*] Ibi legem de Dictatore latam, seseque Dictatorem dictum a *M. Lepido* Præatore cognoscit. *Caes. De bell. civ. ii.* 21.

much

much less scrupulous than before about the observance of their old forms, and would easily admit an election of Priests or Prætors to be made by a Prætor [y]. Thus we must arraign the judgment of, or fix the imputation of a most scandalous practice upon the true Cicero; who, in contempt of his Augural character and contrary to the fundamental maxims of civil prudence, must look upon the right of creating the superior Magistracies, upon which all the inferior ones and the whole executive part of the constitution, civil and religious, depended, as a matter of old form. The Senate, by an habitual patience under the daily subversion of their laws, during Cæsar's reign, must easily admit such a violation of their laws, as was not, in a case of great necessity, attempted by Cæsar himself; who named indeed afterwards all the Magistrates as he pleased, but by the legal plenitude of his perpetual Dictatorship; and therefore in a method far less unconstitutional. And, lastly, a Prætor, who does not seem to have been wholly at Cicero's devotion [z], must be making an election of Priests or Prætors, against express law and the most universal and acknowledged custom of their Ancestors; when he was supplying the Consular office (for the business only of holding assemblies of the Senate, which might be done by a Tribune as well as by a Prætor [a]) according to the custom of their Ancestors: And all this must be easily admitted by a Senate of Republicans, who were ex-

[y] *Mid. Ep. of Cic. p. 141.*
not. 3.

[a] *Ep. Fam. x. 12. Phil.*
iii. 5. *Ep. ad Quint. Fr. ii. 1.*

[z] *Ep. of Cic. p. 69. not. 10.*

erting themselves with the greatest activity and most sanguine expectation of retrieving their *antient* constitution, and of effecting the re-establishment of all their *old forms*.—Nor is this *satisfactory account* only big with all these absurdities, but flatly contradicted by plain matter of fact. For, in little more than a month after the time in which our *Cicero* pretends to have postponed the elections to the following year, the city, in this particular exigency of their affairs and in the vacancy of the Consulship, would not easily admit an election of Consuls (who would certainly be elected before the *Prætors* in the vacancy of the Consulship) to be made by a *Prætor*. When *Octavius* and *Pedius* were actually elected Consuls in the *August* of this very year, since the constitutional method of electing them by an *Interrex*, who could regularly preside in the election, might be attended with delay, on account of their necessary forms and the absence of several *Patrician Magistrates*; an expedient, like the former used by *J. Cæsar*, was found out of creating by a special law two extraordinary *Proconsuls* for the purpose of holding the *Consular* election: This, as the Historian expressly relates, being more easily admitted than the election of Consuls to be made by a *Prætor* [b].

[b] Ὁ Καῖσαρ——Ἰπάτος ἐν
πρὸς τῇ δὴμῳ ἀποδεχθῆναι, δύο τι-
νῶν ἱεροπάτων πρὸς τὰς ἀρχαι-
σίας ἀρεθίσαν, ἐπειδὴν ἀδυνατοῦν
ἢν Μισθασιλία δι' ὀλίγου ἔτος ἐπ'
εὐθείας κατὰ τὰ πατρία γινέσθαι,
πολλῶν ἀδελφῶν τῶν τὰς ἐνπαρθεας

ἀρχαῖς ἐχόντων ἀποδημήσαν. Τῷτο
γὰρ τῶν δύο ἀνδρῶν διὰ τῆ Στρα-
τηγῆς τῆ ἀτυνόμεν φηρισθῆναι μάλ-
λον, ἢ τὸς Ἰπάτους δι' αὐτῆς χρι-
στονηθῆναι ὑπέμειναν. Dion. Hist.
Rom. p. 320.

WE have now said enough to explain every thing contained in *Cicero's genuine Letters*, and to shew, that what is contained in the *spurious* ones, relating to this affair, is absolutely inexplicable, or rather manifestly false. *We find in fact*, says the Vindicator, *that an election of Prætors was going to be made, and that Cicero expected it to be made very speedily; and for that reason admonished his friend Furnius to come to Rome directly, lest he should be too late to appear as a Candidate for the Prætorship [c].* And *we find in fact* too, *that an election of Consuls was going to be made, and that D. Brutus and L. Plancus expected to be elected into the vacant places of Pansa and Hirtius [d]; not to repeat the mention of the Pompeian Candidates for the Consulship, or of the comitial negotiation between Octavius and Cicero himself.* Again; *It is certain*, says he, *that there was no other Magistrate in the city, who could preside in the election of Prætors, but the Prætor.* But what then? Was there no resource in the constitution, which could supply another Magistrate for presiding in that election? Yes, in the vacancy of the Consulship, there was a regular devolution of the *comitial Auspices* to the collective body of the *Patrician Senators*, who might declare an *Interrex* to preside in the *Consular election*; and the *Consuls* would be easily admitted to preside in the election of *Prætors*, and to afford a plentiful supply of *Prætors*, *Priests*, and *inferior Magistrates*. Here then, though the fact asserted in the *spurious Let-*

[c] *Mid. Ep. of Cic. p. 141.*
not. 3. *Ep. Fam. x. 25.*

[d] *Ep. Fam. xi. 9, 10. x.*
21.

ters is of difficult conception, *viz.* that *Cicero*, notwithstanding his great struggle, got the elections *actually postponed* to the following year; when there had not been any assembly of the *Patrician Senators*: yet *Cicero*, as he relates in his genuine Letters, might be *using his continual efforts to protract* the elections; and that for very good reasons *regarding the public service*, which would not well admit, that the absent members of the *Patrician* body, who generally commanded in the wars, should be obliged to assemble at *Rome* for the business of elections; — that Competitors of all sorts should, like the *real Furnius* or the *imaginary Antistius*, young *Cicero*, *Bibulus*, &c. be deserting the service in order to prosecute their respective suits there; — or that the interest of the Republic should be broken to pieces by the emulation or disappointment of the three powerful parties, now engaged in competition for the *Consulship*, of *Octavius*, of *D. Brutus* and *Plancus*, and of the *Pompeians* in the city.

HENCE likewise the *suspected Cicero's* doctrine, which puzzled *Manutius* and therefore every body since, appears to be demonstrably false, *viz.* “ That
 “ there could be no devolution of the Auspices, for
 “ the purpose of the *Pontifical* and *Prætorian* ele-
 “ ctions, to the body of *Patrician Senators*, *as long*
 “ *as even one Patrician Magistrate continued in the*
 “ *State [e].*” On this account, and this only, he foresees a long delay of the elections; but finding

[e] Nunc per auspicia longam moram video. Dum enim unus erit patricius magistratus, auspicia ad patres redire non possunt. Ep. ad Brut. i. 5. “ As “ long as there is one *Patrician* “ *Magistrate* remaining, the “ Auspices cannot return to the “ Fathers.” *Mid. Ep. of Cic.* p. 67. See p. 69 not. 10.

the true Cicero endeavouring all he could to *protract* them to the January following, he must needs *contradict* in one Letter what he affirms in another, and engage his Cicero in the greatest struggle to make them *postponed*, by some imaginary act, to the following year; at which time he thought his *fictitious* impediment would be removed by the expiration of the *Patrician Magistracies*. But that there was a devolution of the Auspices, whence an *Interregnum* might take place, by the expiration of the *Consular Magistracy* only; is evident from the case of *Julius Cæsar*, which happened before the daily subversion of the laws during Cæsar's reign; and from the case of *Octavius* in this very year, when an *Interregnum* did not *in fact* take place because several of the *Patrician Magistrates* were still in being, but absent from the city. The same is farther evident from the nature of the thing; for, if “ the Auspices could not return to the Fathers as long as there was one *Patrician Magistrate* remaining;” there could hardly ever have been an *Interregnum* in the whole course of the Roman Republic. For originally the two *Censors* were *Patrician Magistrates*, whose office was *quinquennial* at its first institution, A. U. 310 [f]. It was indeed reduced to the duration of *eighteen months* by the *Æmilian* law, but became again *quinquennial* about a century afterwards [g]; and ever continued to be generally administered by one of the *Patrician* order. The Vindicator therefore is here likewise very much mistaken in his account, when he makes the sum of what

[f] Liv. l. 4. c. 8, 24.

[g] Liv. ib. c. 24. l. 9. c. 33,

&c. Ἡρχον δὲ τὰ μὲν πρῶτα καὶ
ἐπὶ πενταετία ἐπὶ πενταετία ἐν δὲ

τῷ μέσῳ χρόνῳ ἐπὶ τρεῖς ἑξαμήνας.

Zonar. Ann. l. 7. c. 19. Cic.

De Leg. l. 3. c. 3.

I objected, concerning the elections into the Priesthoods and the Prætorships, amount only to this; that I do not know how to reconcile it to the customs and constitution of Rome [b]. For I farther know, that it is utterly irreconcilable to the customs and constitution of Rome, with which, however, the suspicious Author of the Letters appears to have been more perfectly acquainted, in regard to the Prætor's power of making elections, than both his Latin and his English reconcilers.

I will presume here again to lay open the fountain, from which he imbibed his erroneous principle "of the impossibility of an *Interregnum* as long " as one *Patrician Magistrate* continued in the " State." He was probably misled by the primitive language of the Historians, who sometimes tell us, " that the Patrician Senators assembled in a body to declare an *Interrex*, there being no *Curule* " or *Patrician Magistrate* in the Republic [i]." This language in its original application was literally exact. But after the institution of the *Curule Magistracy* of the *Censors* [k], when an *Interregnum* is said to have taken place " by there being no *Curule* " rule or *Patrician Magistrate* in the Republic;" nothing more is meant, than that there was a deficiency of *Consular Magistrates* [l]. After the later institution of the *Prætors* and *Curule Ædiles* [m], the Consuls still continued to be the only Magistrates, the vacancy of whose office, or their necessary absence from the city, was of any account in affording

[b] *Mid. Pref. Diff.* p. 105.

[i] *Patricii, cum sine curuli magistratu Resp. esset, coiere et Interregem creavere.* Liv. l. 4.

c. 7. v. c. 43.

[k] *Ib.* l. 4. c. 8.

[l] *Ib.* c. 43.

[m] *Ib.* i. 7. c. 1.

the occasion of having recourse to an *Interregnum*. For as the Consular power of making elections was sufficient for the supply of all the inferior Magistrates, so it could not otherwise be supplied itself than from one or other of those great resources of the constitution, an *Interrex* or a *Dictator* [n]. *Manutius* rightly observes, that there could be no *Dictator* in the present year, upon the death of the Consuls, because the very name of *Dictator* had been utterly extirpated out of the Republic by a special law [o]; and he must have judged in the same manner concerning the *Prætor's* proceeding to the elections of *Consuls* and *Prætors*; if the Sophist had not falsely taught him, “ that there could not “ be an *Interregnum* as long as one *Patrician Magistrate* continued in the State.”

XXXI. THE *suspected Cicero* advances a Position and a Fact, which are *false* in themselves and *irreconcilable* to each other: for he had foreseen the impossibility of the elections being held the present year, because there could be no *Interregnum*; and yet afterwards got them put off by the greatest struggle to the following year. The *conciliatory* expedient of the *Prætor's* making the elections in the mean time was not thought of by himself, was judged *most base, manifestly illegal, and utterly unprecedented* by the *true Cicero*, durst not be attempted formerly by *J. Cæsar*, in his private exigency, nor by the Senate this very year, in *Octa-*

[n] Liv. l. 22. c. 33, 4.

[o] Non enim quo tempore
Pansa periit, creari Dictatorem
licebat, cum Dictatoris nomen

M. Antonius consul funditus
jam e Rep. sustulisset. Manut.
in Ep. ad Brut. i. 5. Phil. i. 1.

vius's and the public exigency. The Fact was ignorantly imitated from the *familiar* Epistles, where the *true Cicero* is using all his endeavours to put off the elections; and the *contradictory* Position was inadvertently drawn from the language of the Historians, who sometimes tell us, "that an *Inter-regnum* ensued upon their being no *Patrician*, "i. e. no *Consular* Magistrate in the State." But that there might be an *Interregnum* while some of the *Patrician* Magistrates were in being, is evident because an *Interregnum* did not take place, in the present year, through the *absence of many Patrician* Magistrates; and because an *Interregnum* would have taken place, in a former year, upon the expiration of the *Consular* Magistracy only. The same is farther evident, because otherwise an *Interregnum* would hardly ever have taken place at all; the *Patrician* Magistracy of the *Censorship* being for the most part *quinquennial*, nor ever of shorter duration than *eighteen months*. As therefore, in the vacancy of the Consulship only, an *Interrex* might be created to perform the *Consular*, *Prætorian* and *Pontifical* elections in a *constitutional* way; so the *expectation* of the elections, the *true Cicero's* endeavouring to put them off, for prudential considerations regarding the public service, and every thing said or supposed in the *familiar* Epistles admit an easy explanation.

THE foregoing article may afford a specimen of the Vindicator's polemic skill, in sparing himself the trouble of repeating what is objected concerning the elections into the Priesthoods and the Prætorships; since it appears, says he, to have nothing
solid

solid in it [p]. Cicero again, as might be expected from his suspicious character, touches a little affair in several of his Letters, that his Son should come from Brutus to Rome to be elected a Minor Priest [q]. This, I say, might be expected from the little ideas of one, who could find no better correspondence for these two great men, placed at the head of the most important and critical affairs, in which a mortal could be engaged, and on which the fate of Rome depended [r]. When Brutus indeed sent his first public Letter, Cicero was so full of the greater affairs, that he had scarce leisure to take notice of what was said about his Son; but just touches it however in two of his Letters [s]. But now the little affair of the Priesthood must be touched in several Letters, and so mean an ambition must bring his Son from Brutus, who had given him the command of his Horse, and employed him in several commissions of great trust and importance, in all which the young man behaved with great benefit to the public service [t]. Our Cicero however, who was copying the case of Furnius, mentioned in the familiar Epistles; was so blind at the same time as not to see, that the original Cicero most severely chastises Furnius for entertaining the very thought of deserting his important commission, through the sordid prospect of a poultry Prætorship [u]. But the little incident of the Priesthood

[p] *Mid. Pref. Diff. p. 105.*

[q] *Life of Cic. v. ii. p. 443.*

[r] *Pref. Diff. p. 101.*

[s] *Life of Cic. v. ii. p. 372.*
Ep. ad Brut. ii. 6, 7.

[t] *Life of Cic. v. ii. p. 371.*

[u] *Te adipiscendi magistratus levissimi et divulgatissimi—præpropera festinatio abducet a tantis laudibus, quibus te omnes in coelum jure et vere ferunt?*
Ep. Fam. x. 26.

was of more importance to the Copyist than appears at the first view; for it afforded him the happy occasion of descanting on the *Roman* antiquities, in order perhaps to some practical application. In the first place, he holds a learned argument to *Brutus*, who was himself an experienced pleader at the Bar, on the arduous and hitherto undecided point in the *civil* Law, *viz.* “Whether the absence of the Candidate did not render him incapable of being elected *Minor Priest* [x]?” And, in the second place, he observes upon the *foreseen* impossibility of the elections, for the want of a devolution of the Auspices; “That while the Consul *Pansa* was living, he thought, the matter might be brought to a more speedy issue; for *Pansa* could immediately substitute a Colleague for himself, and the Pontifical elections would of course come on before the *Prætorian* ones [y].”

As to the knotty point of Law; can it well be imagined, that any doubt should subsist between the *real Cicero* and *Brutus* concerning a *right*, which so nearly affected the whole constitution as the elections of *Priests*, and which by the nature of the thing must necessarily have been the matter of almost continual practice? But let us hear the ar-

[x] Existimo omnino absentium rationem sacerdotum comitiis posse haberi. Nam etiam factum est antea. C. enim Marius, cum in Cappadocia esset, lege Domitia factus est augur: nec, quo minus id postea

liceret, ulla lex sanxit. Ep. ad Brut. i. 5.

[y] Omnino Pansa vivo ceteriora omnia putabamus. Statim enim collegam sibi subrogasset: deinde ante Prætoria sacerdotum comitia fuissent. Ibid.

gument. "I think," says Cicero, "the Candidate's absence is no incapacity by any means; and of this there is a precedent. For C. Marius, when he was in Cappadocia, was elected Augur by Domitius's law; nor has there any law since been enacted to the contrary." Now I mentioned him a *precedent*, not quite so far fetched and precisely adapted to his purpose; whereas *his* precedent is absolutely foreign to it. J. Cæsar, when he might be about young Cicero's age, was actually elected *Minor Priest* in his absence [z]: but should we allow the facts of Marius's being elected Augur in his absence, and of no law's being enacted to the contrary since Marius's time; yet Manutius proves by a decisive instance, that there was *practice* to the contrary, with regard to the *Augurate* [a]; and this *practice* was founded on the necessities of State, which required a general residence of the Augurs, for the sanction of *comitial* proceedings and other city-businesses of any importance; and for the frequent and stated assemblies of the *Augural* College [b]. Our Cicero goes on; "There is likewise a clause in the *Julian* law, the law of the latest date concerning the Priesthoods, *qui petit, cujusve ratio habebitur*; whence it is plain," says he, "that an *absent person* may be elected, even though

[z] Absens Pontifex factus erat in Cottæ Consularis locum. Paterc. l. 2. c. 43. Vid. Lipsii not. So Brutus says concerning Bibulus; In Pansæ locum petere constituit. Ep. Brut. i. 7.

[a] Consuetudo tamen non ferebat. Itaque, Quoniam, in-

quit Cicero, *Nepos profiscitur, cuinam auguratus deferatur*. Nimirum significat Nepotis absentis rationem haberi comitiis augurum non posse. Manut. in Ep. ad Brut. i. 5. Ep. ad Att. ii. 5.

[b] De Leg. ii. 12. Ep. ad Att. xiii. 42. Lael. c. 2.

" he

“ he is *not present* [c].” Here I required an *antient* testimony of so much as the *being* of any *Julian law concerning the Priesthoods*. One would rather imagine, that the *clause* was suggested to the Sophist by the known history of *J. Cæsar’s* struggle to be chosen *Consul in his absence*, as *C. Marius* had been actually chosen *Consul* before him [d]. The *Julian law*, however, most certainly was *not* the law of the *latest date* concerning the Priesthoods; for *M. Antony*, in his Consulship, restored the right of elections from the people to the Colleges of the Priests [e]; and, in this very year, we find the right of election reverted to the people [f].

Secondly, THE Sophist seems to make a slight discovery of his Profession in telling us, “ That the “ *Pontifical* elections would of course come on *before* the *Prætorian* ones.” *Manutius* here likewise rightly observes, that the *Pontifical* elections were not *annual*, like the elections of the *Magistrates*, but *occasionally* made when there happened to be a vacancy in any of the Colleges [g]. Again, *Cicero* and his correspondent *Brutus* hold the presence of *both the Consuls* to be necessary for the business of the elections [h]; whereas it appears

[c] Est etiam in lege Julia, quæ lex est de sacerdotiis proxima, his verbis, *qui petit, cuiusve ratio habebitur*. Aperte indicat, posse *rationem haberi* etiam *non præsentis*. Ep. ad Brut. i. 5.

[d] Plut. in C. Mar. p. 412.

[e] Dion. Hist. Rom. p. 269.

[f] Utrum igitur augurem — *populus Romanus* libentius *sanciet*, Pompeium an Antoni-

um? Phil. xiii. 5. Appian. De bell. civ. p. 511.

[g] Sacerdotum comitia non, ut Magistratum, quotannis; sed cum subrogandus aliquis esset in demortui locum, habebantur. Manut. in Ep. ad Brut. i. 5.

[h] Omnino Panfa vivo celeriora omnia putabamus. Statim enim collegam sibi subrogasset. Ep. ad Brut. i. 5.—

from

from numerous instances, that this province was usually determined to *one* of the Consuls, either by lot, or consent, or the necessary absence of the other [i]; and only *one* Magistrate, in like manner, did usually preside in the elections of the *inferior Magistrates* [k].

XXXII. THE conversation carried on through so many of these Letters concerning the *little affair* of *Priesthoods* and the *ritual* of *Roman* elections is unnatural, and unsuitable to the character and circumstance of the *true Cicero* and *Brutus*, who could not entertain the least doubt concerning the points in debate, and were now placed *at the head of the most important and critical affairs*: nor could the *true Cicero* consistently with himself require his Son to leave the pursuit of glory and the service of the Public, in such a necessary time, through the low ambition of suing for one of the *Minor Priesthoods*: much less could he give so trifling and exceptionable an account of the elections into the *Priesthoods* and *Prætorships*.

BUT as all this multitude of *Brutus's* Suitors for the vacant dignities seems to have been supplied from the case of *Furnius*, which is related in the *familiar Epistles*; so I offered a conjecture, “ that
“ the hint of young *Cicero's* suit for the *Priesthood*
“ might be taken from *Appian's* relation of his

Nisi Prætorum comitia habituri essent Consules. Ep. Brut. ib. 11.

[i] Liv. 1. 24. c. 10. l. 32. c. 7. l. 35. 6.

[k] Consul ab omnibus magistratibus — comitiatum —

avocare potest. Prætor — potest nisi a Consule. — Qui eorum [minorum magistratuum] primus vocat ad comitiatum, is recte agit. Gell. Noct. Att. xiii. 14.

Z

“ being

“ being actually made a *Priest* by *Augustus* many years afterwards [l].” The Vindicator declares it to be my *constant method of criticising*; if I see any thing in the *Letters*, which I know not how to reconcile to *History*, the true *Cicero*, or the customs of *Rome*, to condemn them presently as *spurious*; if I find them to agree exactly with them all, then to alarm him with the *subtle imitation of the Sophist* [m]. My *constant method of criticising* appears to be; if I see any thing in the *Letters*, which I know to be manifestly contradicted by certain *History* and the true *Cicero*, or absolutely irreconcilable to the customs of *Rome*; to condemn them as *spurious*: and if I find them to suppose or rather directly relate any particular facts or mere contingencies, which did not really happen till a considerable time after the *Letters* pretend to make the relation; then to look upon them as *plainly prophetic*, and therefore *spurious* still. And is not this the very misfortune, to which every sophistical enterprize in the *historical* way must necessarily be exposed; where the Adventurer will not be a mere Compiler of the original *Historians*, who treat of the same times? For either like the Author of the *Letters*, he must invent several facts not touched upon by any other writer [n], or he must pervert the circumstances and confound the times of the great variety of facts, which he imitates from other writers. But futurity is the most inexhausted

[l] Appian. De bell. civ. p. 619. Epist. ad C. Middlet. p. 245.

[m] *Mid. Pref. Diff.* p. 106.

[n] *Ib.* p. 118.

fund of probable fiction and ingenious conjecture; and on these as well as many other accounts a tendency to *prophecy* is the natural and inherent infirmity of the sophist character. And can the Vindicator find any thing in *History* or the *true Cicero*, concerning young *Cicero's* Candidateship for the *Priesthood*, at this very time in which the Letters place *Cicero's* solicitous care and learned disquisition about its *legality*? Or can he find any other *agreement* between them than what might be expected between a fact *foretold* and the same fact *related*? He proceeds to ask; *Were not all the Roman Nobles just as solicitous as Cicero is said to be here, to get their sons elected Priests? If there was no such practice in Rome, that might be a reasonable objection to these Letters, which make so much mention of it* [o]. By his own confession then *so much mention made of it* in these Letters must remain a *reasonable objection* to them till he can shew, that all the *Roman Nobles* were *at this time* just as solicitous as *Cicero* is said to be, to get their sons elected *Priests*. If there was no such practice at *this very time*, it is the same for my argument as if there was no such practice *in Rome*. I expect then a better proof, than the *several vacancies of the Priesthoods* [p], of what all the

[o] *Mid. Pref. Diss* p. 106.

[p] *Ib. Ep. of Cic.* p. 69. not. 6. That the *several vacancies* could not be occasioned by the battle of *Modena*, seems evident from *Cicero's* intimating an opinion, which he entertained *while Pansa was still*

living, that the *Pontifical elections* would have a *speedy issue*; *Omnino Pansa vivo celeriora omnia putabamus.* *Ep. ad Brut.* i. 5. Now the same *Cicero* writes of *Pansa's death* the *second day* after the news of the *first victory*, which was obtain-

Nobles acted at *this particular time*; and still continue to think,

XXXIII. That *Cicero* took from a fact in *future* the hint of writing concerning young *Cicero's Priesthood*; the *true Cicero*, in his *familiar Epistles*, and *antient History*, as far as yet appears, being absolutely silent about the *Pontifical* competitions and elections of this period; notwithstanding the *many vacancies of the Priesthoods*, which yet are rather *supposed*, in order to account for the frequent *mention made* of them in the *Letters*, than *proved* from any proper historical testimonies.

“ FROM the number and variety of *Auguries* in
 “ these *Letters*, that is, either formal *predictions*
 “ or narrative *anticipations* of things which really
 “ happened;” I took occasion to intimate my
 suspicion, “ that, in the one case, the events
 “ did not follow the predictions, but the predi-
 “ ctions were forged upon the events; and, in the
 “ other, the events did not precede the date of

ed before *Modena*, had arrived at *Rome*. Ep. 3. Indeed *Brutus* recommends young *Bibulus* to succeed *Pansa* in one of the *Minor Priesthoods*, and desires *Cicero*, who was an *Augur*, to nominate him for that purpose. In *Pansae* locum petere constituit. Eam nominationem a te petimus. Ep. 7. Dr. *M.* rightly observes, that the *Priests*, of the several orders, “ were chosen upon the nomination of
 “ one or two of the *Priestly*
 “ *College*, and inaugurated in-
 “ to their office by one of the
 “ *Augurs*.” Ep. of *Cic.* p. 80.

not 2. Whence *Brutus* seems to have mistaken the nomination for the inauguration of *Bibulus* into his *Minor Priesthood*. Had this *Youth* been pretending to the august dignity of the *Augurate*, *Brutus* might with some propriety desire a nomination from *Cicero*.—Reliqua populus R.—persequetur: in primis paternum auguratus locum, in quem ego eum [*Pompeium*, *Pompeii F.*] ut, quod a patre accepi, filio reddam, mea nominatione cooptabo. Phil. xiii. 5.

“ the

“ the relations, but the relations were forged upon
 “ the events, which were *actually in futurity* at
 “ the time when they are related to have already
 “ happened [q].” With regard to the *predictions*;
 the Vindicator smartly observes, that *it never seems*
to enter into my head, that Cicero could know any
thing more of affairs than myself, or be able to fore-
tell, what I should never have dreamt of; whereas
 Nepos has left this testimony with regard to the pre-
 sages of his Letters; “ that his wisdom might be
 “ looked upon as a kind of *divination*; since he
 “ foretold things in futurity, not such only as hap-
 “ pened whilst he himself was still living, but de-
 “ clared as a Prophet what came even into com-
 “ mon use and practice after his death:” Thus,
 he concludes, *what those Antients, who knew Cicero*
personally, have delivered as the distinguishing cha-
rafter of his Letters, I consider every where as the
very proof and criterion of their forgery [r].

Now it entered into my head to alledge this very
 testimony of Nepos with regard to the *presages* of
 Cicero's Letters, together with two ample testimo-
 nies of Cicero himself concerning his own *divining*
 faculty [s]. But what? Did either Nepos or Cicero

[q] Ep. ad C. Middlet. p. 194, 226, 43, 50.

[r] *Mid. Pref. Diss.* p. 107, 8. Ut facile existimari possit, prudentiam quodammodo esse divinationem. Non enim Cicero ea solum, quae vivo se acciderunt, futura praedixit, sed etiam quae nunc usu veniunt, cecinit ut vates. Nep. in vit. Att.

[s] Praeclara igitur conscien-

tia sustentor, cum cogito me de Republica—certe nunquam nisi *divine* cogitasse. Ep. ad Att. x. 4.—Cui quidem *divinationi* hoc plus confidimus, quod ea nos nihil in his tam obscuris rebus tamque perturbatis unquam omnino fefellit. Dicerem quae *ante futura* dixissem, ni vererer, ne ex *eventis* fingere viderer. Fam. vi. 6. Ep. ad C. Middlet. p. 3, 4.

look upon this *divination* as the supernatural attribute of *Cicero's* augural character? Or does not *Nepos* plainly draw the conclusion from *Cicero's* foretelling the several conversions of the *Roman Republic*, "that *political prudence* might be looked "upon as a kind of *divination* [*t*]?" In like manner we find *Cicero* himself resolving the continual success of his *conjectural* essays into his study of sound systems of politics, his good understanding and various experience of affairs [*u*]. A *divination* founded on the general maxims of civil prudence, and a judicious observation of a long series of events, could not extend to the actions of private persons, particular contingencies or the casualties of war; though it might prognosticate the revolutions of states, the results of public measures, or the natural effects of national morals and prevailing corruptions. *Cicero* therefore might, with some probability, predict, that *J. Caesar's* power, which was obtained by violence and supported by tyranny, would not sustain itself for any considerable time; though it actually did sustain itself far beyond the

[*t*] Sic enim omnia de studiis principum, vitiis ducum, ac mutationibus Reip. perscripta sunt, ut nihil in his non appareat, et facile existimari possit, prudentiam quodammodo esse divinationem. Nep. ibid.

[*u*] Ne nos quidem nostra divinatio fallat, quam cum sapientissimorum virorum monumentis atque praeceptis, plurimoque, ut tu scis, doctrinae studio, tum magno etiam usu

tractandae Reip. magnaque nostrorum temporum varietate consecuti sumus. Ep. Fam. vi. 6. Nihil me existimaris, neque usu, neque a Theophrasto didicisse, nisi brevi tempore desiderari nostra illa tempora videris. Ad Att. ii. 9. Auguria quoque me incitant quadam spe non dubia, non haec collegi nostri, — sed illa Platonis de tyrannis. x. 8.

limits

limits which *Cicero* prescribed to it [*x*]: yet I will still maintain against the utmost efforts of his Biographer, that, before the event of *Cæsar's* murder, *Cicero* had not the least expectation of such an attempt, and from what quarter it would come [*y*]. He might with some certainty foresee, that the Republic would be quite ruined in *fourteen years* time [*z*]; but he did not in fact, nor possibly could foresee, that *Lepidus* would unite himself with *Antony*; or that *Paullus*, who in the mean time was to be acting a contrary part, would decree *Lepidus* an enemy; the one, *six weeks*, and the other, near *three months* before those events happened [*a*]. I look not on this doubtful and oracular sentiment as an instance of prophecy, in the suspected Letters; “ If we are fond of being merciful, there will be
“ no end of civil wars [*b*]; but, “ I could wish,
“ that my Son were made a Priest [*c*];” when young *Cicero* was to be made a Priest many years after: Or,
“ I advise *C. Antony* to be kept in custody till we
“ know the fate of *D. Brutus* [*d*];” when *Antony* was to fall a sacrifice to the Manes of *D. Brutus* several months after. In short, what those Antients,

[*x*] Corruat iste necesse est, aut per adversarios, aut ipse per se, qui quidem sibi est adversarius unus acerrimus. — Jam intelliges id regnum vix semestrem esse posse. Ep. ad Att. x. 8.

[*y*] Life of *Cic.* v. ii. p. 245. Epist. ad C. Middlet. p. 20, 1, 2.

[*z*] Cogito me de Republica

—nunquam nisi divine cogitasse, eaque ipsa tempestate eversum esse Rempublicam, quam ipse xiv annis ante prospexerim. Ep. ad Att. x. 4.

[*a*] Ep. ad Brut. ii. 2.

[*b*] Quod si clementes esse volumus, nunquam deerunt bella civilia. Ep. ad Brut. i. 2.

[*c*] Ib. 5.

[*d*] Ib. ii. 4.

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who knew Cicero personally, have delivered as his distinguishing character; both they and Cicero himself have delivered as the distinguishing character of Atticus [e], who commenced a political Prophet without the *indelible character* of the *Augurate* [f], and foretold things in futurity, which not only happened in his life-time, but produced obvious consequences of a durable existence many ages after his death [g].

BUT if the *presages* of Cicero's genuine Letters were their *distinguishing character*; to complete the parallel between the *genuine* and *suspected* Letters, we must shew, that the same *spirit of prophecy* was communicated from Cicero to his *familiar* correspondents that discovers itself in Brutus; and therefore in greater plenitude than it was possessed even by Cicero himself. For Brutus, being far removed from the main scene of action, has frequent opportunities of *suspecting* what Cicero takes to himself the inferior honour of *relating*; and even in the single article of the reiterated prediction of Cicero's own death, though we might account for Cicero's uttering it once or twice; because he was now in his *sixty-fourth* year [h]: yet Brutus is

[e] In quo si tantum eum prudentem dicam, minus quam debeam, praedicem, cum ille potius *divinus* fuerit. Nep. in vit. Att. Ep. ad Att. x. 8, 2. ix. 18.

[f] Life of Cic. v. i. p. 529.

[g] Meministine te clamare, causam petiisse, si funere elatus esset? At ille etiam in foro combustus, laudatusque miserabiliter.—Quae deinde? Ut

audeant dicere, tunc contra Caesaris nutum? Ep. ad Att. xiv. 10.

[h] Mihi quidem quantulum reliqui est? Ep. ad Brut. i. 10. Mihi quidem aetas acta ferme est. Ep. 2.—quae quidem—me—internuntio ad illos [mortuos] celeriter deferentur. Ep. ad Octav. *Mid.* Ep. of Cic. p. 93. not. 8.

more

more laudably *circumstantial* in predicting, that it would not be a *natural* death, but an *instant* one, and even after his great enemy *Antony* was quite *subdued* [i]. *Brutus* is solicitous concerning *Porcia's* health about the time that *Cicero* is writing a consolation on her death [k]. *Brutus*, the very day after *Lepidus* was actually adjudged an enemy, begins to *suspect*, that he may desert the Republic, and offers a *conditional*, but *unmanly*, supplication in behalf of his own Nephews, *Lepidus's* children [l]. *Cicero*, before the arrival of *Brutus's* express, apologizes for his *severity* with regard to *Lepidus's* children, under an apprehension of *Brutus's* being dissatisfied with so *necessary* a measure; and had written to him concerning *Lepidus's* levity, *inconstancy* and *perpetual disaffection* near three months before *Brutus* intimated the least suspicion about him [m]. “ *Cicero* had decreed an *Ovation* to “ *Octavius*, which *Brutus* aggravates into a *Tri-* “ *umph* ;” *Cicero* in the mean time declares his

[i] Tu quidem Consularis et tantorum [Antonii] scelerum vindex; quibus oppressis vereor, ne in breve tempus dilata sit abs te perniciēs. Ep. Brut. i. 16.

[k] Ep. Brut. i. 17. Ep. ad Brut. 9.

[l] De M. Lepido vereri me cogit reliquorum timor: qui si eripuerit se nobis, — oro atque obsecro te, — fororis meae liberos obliviscaris esse Lepidi filios. Ep. Brut. i. 13. Ep. Fam. xii. 10. *Lepidus*, who had united himself with *Antony* May 29, was adjudged an ene-

my on the last of June; and consequently he had deserted the Republic more than a month before *Brutus* had heard of it; which supposition, considering the quick passage of Letters between these two correspondents, is utterly incredible. See Mid. Pref. Diff. p. 85.

[m] Unum reprehendebas, quod in honoribus decernendis essem nimius et tanquam prodigus. Tu hoc; alius fortasse, quod in animadversione poenaeque durior: nisi fortasse utrumque tu. Ep. ad Brut. i. 15. ii. 2.

suspicion,

suspicion, that *Brutus* would not approve of his decreeing an *Ovation* to *Octavius* [n]. *Brutus* again *suspects* that *Pansa* would not send him any of his *recruits*, which *Cicero* regularly *relates*; *foresees* that the *Consuls* would not hold the elections at the regular time, which, *Cicero* tells him, will be attended with *long delay*; and recommends *Bibulus* for *Cicero's* nomination into one of the *Priest-hoods* at the time that *Cicero* is recommending his Son to be coopted into *Brutus's* pontifical College [o].

THE Vindicator oratorially supercedes the mention of these and such-like *coincidencies* between the augury and the event by a pithy interrogatory and a sage reply; *But what after all are these frequent auguries*, says he, *which give so much offence? Why, after the battle of Modena and the death of the two Consuls, Cicero begins to apprehend, that Octavius, who by that accident was become the master of all the veteran forces in Italy, would not be governed by him so easily as he had hitherto been: And Brutus also on his part, before he had heard of Octavius's design upon the Consulship, expresses his fears, lest he should take a resolution to seize upon it: apprehensions so obvious and natural, that they could hardly fail of being entertained, in some degree or other, by all men of sense* [p]. The truth of the

[n] Immo triumphus et stipendium decernitur. Ep. Brut. i. 17. *Mid.* in loc. *Suspicio* illud minus tibi probari,—quod, ut *ovanti* introire *Caesari* liceret, decreverim. Ep. ad Brut. 15.

[o] Ep. Brut. ii. 5. Ep. ad Brut. 6.—Ep. Brut. i. 11. Ep. ad Brut. 5.—Ep. Brut. 7. Ep. ad Brut. 5.

[p] *Mid.* Pref. Diff. p. 108. Ep. ad Brut. i. 3. Ep. Brut. 4.

case is ; the apprehension of *Octavius's* resolution to seize the *Consulship*, immediately after the battle of Modena, could not be entertained by *Brutus*, nor in fact was entertained by any man of sense, except by *Cicero* himself, who had long before suggested to him perhaps the very first thought of that measure. On the other hand, *Octavius*, who conducted the remains of the veteran forces, after the battle of Modena and the death of the Consuls, was himself apprehensive of being abandoned by *Cicero* and the Senate, who transferred the command of those forces from him to *D. Brutus* : so far were *Cicero* and the Senate from apprehending, that he would not be governed by them so easily as he had hitherto been [q]. I did indeed contend at setting out, that *Octavius*, even before *Brutus's* departure out of Italy, had given the strongest reasons to apprehend every thing bad of him ; and therefore the true *Cicero* and the Senate would undoubtedly continue to apprehend every thing bad of him after the battle of Modena, did they not think themselves able to set him at defiance, being established in perfect security by the event of Modena. But these apprehensions of *Octavius*, however obvious and natural upon the plan of true History, are absolutely unnatural and unaustral in the suspected correspondents, who had never entertained the least suspicion of *Octavius* before the battle of Modena ; and the sudden eruption of jealousies from both quarters,

[q] The true *Cicero*, in answer to *D. Brutus's* Letter of May 15th, says ; De—Caesare —ad Italiae praesidium tenendo, valde tibi assentior. Ep. Fam. xi. 14.

derived

derived from the issue of that battle, before *Oëtavius* had the least signified any change of disposition, was the whole matter, that gave me *so much offence*.—After all, the Vindicator may hereafter save himself the trouble of accounting for the *many Auguries* in these Letters from the *extraordinary divination* of both *Cicero* and *Brutus*; since numerous facts have been shewn to be formally *related as already done*, which we find from authentic History and *Cicero's* genuine Epistles to have really happened *after* both the *numeral* and *intended date* of the Letters, which relate them.

XXXIV. The number of *Auguries* in these Letters cannot be resolved into the *true Cicero's* distinguishing faculty of *divination*; since this *divination*, being founded on political prudence and practice, could not extend to particular actions and casual events: since the *Brutus* of the Letters is the more *sagacious* of the two with regard to things in futurity: since one of them commonly *conjectures* what the other is *relating* about the same time; and both of them, immediately after the battle of *Modena*, first *begin* to express their *apprehensions* concerning *Oëtavius*, which is contrary to fact and impossible on the plan of affairs laid down in the Letters; And, lastly, since they both likewise *relate* numerous events as having *already happened*, which were *actually in futurity* at the *certain* and *intended date* of the Letters, in which those relations are contained.

THERE is one *prediction* still remaining, but that indeed a manifold one and delivered with *singular confidence*; which is the more meritorious, because

because there was no foundation for it in the established science of political *Augury*. The particular, to which this character most properly belongs, is conceived in these words; “ You will be undone, *Brutus*, believe me, if you do not take care. For you will neither have the people always the same as now, nor the Senate, nor a leader of the Senate. Take this as delivered to you from the *Pythian Oracle*. Nothing can be more true [*r*].” The Vindicator makes a pretence of my *taking great pains to prove, that the probability of danger to Brutus, and of a turn of affairs at Rome, could not be foretold at this time by the TRUE Cicero*; and of my *thinking it incredible, that the TRUE Cicero could foresee the possibility of a change of their affairs*; and, lastly, of my *saying, that the TRUE Cicero could have no ground for such a presage* [*s*]. Hence he himself takes the occasion of proving, that *there is nothing either strange or improbable in the prediction*; since *all this is declared by the TRUE Cicero, while their affairs seemed to be in a prosperous state*: but, at length, he is *ashamed to detain the Reader on such trifles, which are the fruits of scholastic futility, and betray a total ignorance of affairs and real life* [*t*].

IT is well, that he can be *ashamed* of any thing in the noble art of controversial defence. But

[*r*] Opprimemini, (mihi crede) Brute, nisi provideritis. Neque enim populum semper eundem habebitis, neque Senatum, neque Senati ducem. Haec ex

oraculo Apollinis Pythii edita tibi puta. Nihil potest esse verius. Ep. ad Brut. i. 2.

[*s*] *Mid. Pref. Diff.* p. 110, 12.

[*t*] *Ib.* p. 111, 12.

could

could the prospect of a short-liv'd victory over a mere Phantom of his own creation tempt him to depart so far from the ingenuous *simplicity* of his *classical* originals, and to *misrepresent* without disguise what he could not with reason, or even decency, *contradict*? For I had declared, with as much *perspicuity* as he himself can in *Latin*; “ That
 “ the TRUE *Cicero*, at the time when the Letter
 “ pretends to be written, could have very good
 “ grounds for the presage of danger to *Brutus*, and
 “ of a turn of affairs at *Rome*; but that the FI-
 “ CTITIOUS *Cicero* could not possibly have any
 “ such grounds, *consistently with the supposition of*
 “ *affairs, which he himself lays down both in this*
 “ *and the rest of his suspected Letters* [u].” I will take the pains again to represent the plan of the Roman affairs, which is laid down in the Letters; whence it will appear, that the probability of a change might be foretold by the TRUE; but could not possibly be foretold by the FICTITIOUS *Cicero*.

[u] Haec vir egregius [Manutius,] si *veritatem* quidem *Historiae* spectemus, sane prudentissime; si *Ciceronis ejus, quem sibi semper defendendum duxit, rationes atque sententiam*, non satis *consentaneè* disputasse reperietur. Epist. ad C. Middleton. p. 247. De *Octaviano* denique, etiamsi *verus Cicero*, ut diximus, longe ante pugnam Mutinensem saepe multumque metuisset; alendum nihilominus eundem in *Antonium* judicasset: *fictus* tamen ex istius pugnae exitu formidines statim omnes

suas primum suscepit, *Octaviani*que voluntatem in *Remp.* prius habuit suspectam, quam is commutatae voluntatis indicium ullum ediderat. Ib. p. 248. Si igitur ex rerum *perspectu*, quam ipse [*Cicero noster, fictus,*] posuerat, conjecturam cepisset; non, quid actum fuerat, ex rerum *eventis*, probe intellexisset: interitum *Reip.* Bruto minime denuntiasset affectatâ illâ certissimâque sententiâ; Haec ex oraculo *Apollinis Pythii* edita tibi puta. Nihil potest esse *verius*. Ib. p. 250.

MANUTIUS admired a *singular* instance of Cicero's *divination* in this *oracular* prediction, which was, in every circumstance of it, fully justified by the event [x]. He then proceeds in an excellent note, which the Translator did not think fit to adopt, to give us a detail of the *Roman* affairs at this time, from which *Cicero* might be able to make a probable conjecture concerning their *change for the worse*. "The main security of the constitution" says he, "depended on four Persons; D. Brutus, who was legally possessed of the government of *the Hither Gaul*; young *Octavianus*, who had levied an army by his own private advice; and the Consuls *Pansa* and *Hirtius*, who by a diligent recruit had raised such a numerous *militia*, as seemed sufficient to make an effectual stand against the attempts of *M. Antony*.—What then," he asks, "could be the reason, why *Cicero* should express so much diffidence in the public cause?—*Cicero*," he replies, "did not much confide in the Generals themselves. The affections indeed of *D. Brutus* could not be questioned; but his army, consisting chiefly of new levies, was rather numerous than strong. The other three Generals might be justly suspected; *Octavianus*, as he was *Cæsar's* adopted Son, and commanded the veteran forces, which had served under *Cæsar*; and *Pansa* and *Hirtius*, because they had always espoused the *Cæsarean* cause in the late civil war, and received their great

[x] *Ex oraculo* Vere. Nam lius prudentiam licet agnoscere.
ut Cicero futurum providit, ita Manut. in Ep. ad Brut. i. 2.
cecidit: in quo singularem il-

“ promotions from *Cæsar* ; on which account they
 “ could never cordially respect his Murderers,
 “ *Brutus* and *Cassius*, the Patrons of the public li-
 “ berty.—If therefore *Antony* should come off Con-
 “ queror at *Modena*, it was to be feared, that he
 “ would seize the Republic, wholly destitute and
 “ defenceless ; but if he should meet with a de-
 “ feat, *Cicero* apprehended, on the other hand,
 “ what proved to be the event, lest those should
 “ be found treacherous in the end, whom the Re-
 “ public, in the time of her necessity, had intru-
 “ sted with her safety,”——Thus this excellent
 Commentator disputes very solidly upon the foun-
 dation of *true History*. But though the *true Cicero*
 might hence form an assured conjecture of *danger*
to Brutus and of a turn of affairs at Rome ; yet I
 again declare it *incredible*, that the *suspected Cicero*
 should do it, consistently with the principles, which
 he expresses in the whole course of these Letters.
 First, the very Letter, which delivers the *Oracle*,
 sets forth, that *the whole people of Rome, and the*
Senate, with Cicero himself at their head, were
wonderfully unanimous in the defence of their com-
mon liberty [y]. And as we are considering the
 sentiments of the *Cicero*, who speaks in the Letters ;
 all that the Vindicator alledges from the *Philippics*
 and *Cicero's* genuine Epistles, to prove that *he*
found, in a great part of the Senate, more male-
volence than gratitude, even after the battle of Mo-

[y] *Mid. Pref. Diff. p. 110.* tum, neque Senati ducem. Ep.
 Neque enim populum *semper* ad Brut. i. 2.
eundem habebitis, neque Sena-

dena, and in the midst of their joy for that victory [z]; is nothing to the purpose. The presage therefore of a turn of affairs at Rome must be taken from the contemplation of affairs abroad; as Manutius, whom I was confuting, rightly understood. Now the Cicero of the Letters did not, before the battle of Modena, entertain the least distrust of any one of the four Generals, on whom the public safety depended [a]. He thought D. Brutus's and moreover Plancus's armies to be good, though undisciplined [b]; and was well acquainted with Plancus's excellent affection to the Republic, with his Legions, and Auxiliary forces in the greatest number and of most approved fidelity [c]. He always thought well of the two Consuls, even when other people suspected them; and many times declared to Brutus his absolute confidence in them, and at last approved his former judgment by an appeal to the very event of the battle before Modena [d]. Last-

[z] *Mid. Pref. Diff. p. 111.*

[a] *Res existimabatur in extremum adducta discrimen. Tristes enim de Bruto nostro literae nuntiique adferebantur. Me quidem non maxime conturbabant. His enim exercitibus ducibusque, quos habemus, nullo modo poteram diffidere.* Ep. ad Brut. ii. 1.

[b] *Sunt exercitus boni, sed rudes, Bruti et Planci. Sunt fidelissima et maxima auxilia Gallorum.* Ep. ib. i. 10. Yet Dr. M. truly asserts, that Plancus had four Legions as good as any in the Empire, with the strongest body of Horse. Pref.

Diff. p. 87. Ep. Fam. x. 24.

Plancus gave the following account of his army and affairs, before the battle of Modena; Legiones habeo v sub signis:—Provinciam omnium civitatum consensu paratissimam:—equitatus auxiliorumque tantas copias, quantas hae gentes—conficere possunt. Ep. 8.

[c] *Ep. ad Brut. ii. 2.*

[d] *Neque assentiebar majori parti hominum. Fidem enim Consulium non condemnabam, quae suspecta vehementer erat.* Ep. ad Brut. ii. 1. Multi suspicantur, quod ne te quidem nimis firmum esse velit [Panfa;]

ly, as to *Octavianus*; though the *true Cicero* had the strongest reasons to think every thing bad of him *from the first*; yet the *suspected Cicero*, as his Vindicator expressly declares, only *began* to apprehend, after the battle of *Modena*, that *Octavianus* would *make an ill use* of his power. From all which it incontestably follows; “That, on the
 “supposition of *Antony’s* defeat before *Modena*, the
 “*suspected Cicero* could not entertain the least ap-
 “prehension of what proved to be the event, *viz.*
 “lest those should be found treacherous in the end,
 “whom the Republic, in the time of her necessity,
 “had intrusted with her safety.”

MANUTIUS made the contrary supposition of *Antony’s* coming off Conqueror before *Modena*, and asserted the reasonableness of the *true Cicero’s* fears, lest *Antony* should immediately seize the Republic, now become wholly defenceless and exposed to the victorious invader. But this truly scholar-like Disputant was not aware, that the *oracular* Letter under consideration even *presumes* of the victory to be obtained against *Antony* before *Modena*; and answers to a Letter, in which *Brutus* had likewise *presumed* of “*Antony’s* flight, *Brutus’s* eruption
 “out of *Modena* and the victory of the *Roman*
 “people.” However I farther observed, that, should the event turn out contrary to expectation, yet the *suspected Correspondents* were provided of a resource for the defence of the Republic, in the

quod ego non suspicor. Ep. 6. et acer Panfa;—cui Consuli
 Quales tibi saepe scripsi Consu- non animus ab initio, non fides
 les, tales extiterunt. Ib. i. 3. ad extremum defuit. Ep. 10.
 Erat in Senatu satis vehemens

forces

forces of *Brutus* himself, of *Plancus* and the Generals in the *Western* Provinces; and of *Cassius* in the *East* [e]; nor could the *Cicero* of the Letters in particular, on the very worst supposition of that event, utter a prediction of ruin to the Republic and of danger to *Brutus*, with such an awkward assurance, as to pronounce it “as certain as the Delphic Oracle, and true as any thing in the World [f].”

[e] Ep. ad Brut. i. 2. *Timore quodam perculsa civitas tota ad te se cum conjugibus et liberis effundebat.* Ep. 3. *Tum et fugae portus erat in tuis castris et subsidium salutis in tuo exercitu.* Ep. 5. *Firmos omnino et duces habemus ab occidente et exercitus.* Ep. 10. ii. 2.

[f] Haec ex oraculo Apollinis Pythii edita tibi puta. Nihil potest esse verius. Ep. ad Brut. i. 2. Except *Cicero* had a mind to jest in a very serious affair; one would think that both he and his correspondent *Brutus* entertained a good opinion of the Oracle at *Delphi*. Dr. *M.* relates, that “as *Cicero* was returning from his travels towards *Rome*, full of hopes and aspiring thoughts, his ambition was checked, as *Plutarch* tells us, by the *Delphic Oracle*: for upon consulting *Apollo*, by what means he might arrive at the height of glory, he was answered, by making his own genius, and not the opinion of the people the guide of his life. But though the

“rule,” continues the Dr. “be very good, yet *Cicero* was certainly too wise, and had spent too much of his time with Philosophers, to fetch it from an Oracle, which had been in the utmost contempt for many ages, and was considered by all men of sense as a mere imposture.” Life of *Cic.* v. i. p. 53. But I must do the Sophist the justice to observe, that what the Dr. often roundly asserts in speculation [see v. ii. p. 552, 4.] he contradicts his facts, and relates concerning *Pompey*, a man of very good sense, “that the motive, which seems to have had no small influence in determining him to the unhappy step of giving *Cæsar* battle at *Pharsalia*, was his superstitious regard to Omens and the admonitions of Diviners; to which his nature was strongly addicted: that he had seen the same temper in *Marius* and *Sylla*; but they assumed it,” continues the Dr. “out of policy, he out of principle.” Life of *Cic.*

No other refuge then is left to the Vindicator but the old pretence of the *uncertainty of dates*. For here, as in many other places, he would make his *English* Reader believe that my argument *wholly depends* on the *date* of the *oracular* Letter, which, I said, *was most certainly intended to be written before the news of the victory of Modena arrived at Rome* [g]. The puny attacks upon the *date* have been effectually repulsed; but I now declare, that the arbitrary and uncritical alteration of the date from *April 18th* to *May 18th* is not sufficient to re-establish the reputation of the *Oracle* [b]. If it was delivered *after the victory of Modena had been known for some time at Rome* [i], the suspicions of its being a *mere imposture* will acquire a new strength; since not only Brutus *seems to have thought the war at an end, by Antony's defeat and flight out of Italy* [k]; but his correspondent Cicero *thought their danger over, after the victory of Modena; yet soon had reason to change his mind, after Antony's union with Lepidus* (i. e. *eleven days after the new date of the oracular prediction*) upon which event only he began to press Brutus and Cassius to bring their

v. ii. p. 122, 135. However
 “ Marius affected to take all
 “ his measures from *Augurs* and
 “ *Diviners*, and both friends
 “ and foes believed him to act
 “ always by a peculiar impulse
 “ and direction from the Gods.”
 v. i. p. 25. And “ *Sylla* car-
 “ ried always about with him
 “ a little statue of *Apollo* taken
 “ from the temple of *Delphi*;
 “ and whenever he had re-

“ solved to give battle, used
 “ to embrace it in sight of the
 “ soldiers, and beg the speedy
 “ confirmation of its promises
 “ to him.” Ib. p. 49.

[g] *Mid. Pref. Diff.* p. 110,
 11. Ep. ad C. Middlet. p. 247.

[b] See *Mid. Ep. of Cic.* p.
 93. not. 9.

[i] *Pref. Diff.* p. 111.

[k] Ep. of Cic. p. 78. not. 3.

armies

armies into Italy [l]. Thus far at least is certain, that the *suspected Cicero* thought their danger over after the victory of *Modena*; on which account he dismissed *Brutus* from the vicinity of *Italy*, where his army was not any longer necessary [m]. We have already shewn, that the *true Cicero* was of the very same opinion, in all the interval between the victory of *Modena* and the union of *Lepidus* with *Antony*; nor can any point of time be found in all that interval, in which *danger to Brutus and a turn of affairs at Rome* could be *oracularly* foretold either by *Cicero* or any body else. So that all the *Vindicator* gains by his change of the *date*, is the removal of the *Oracle* from the time in which the *true Cicero* might deliver it, but the *suspected Cicero* could not; to a time in which *neither* of them could deliver it.

XXXV. THE *suspected Cicero*, in a Letter written *two days* before the news of the victory of *Modena* arrived at *Rome*, could not consistently express, with an *oracular assurance*, a presage of danger to *Brutus* and of a turn of affairs at *Rome*; because *at home* he saw the whole people and the Senate, with *Cicero* at their head, wonderfully unanimous in the defence of the common liberty; and *abroad* not only *presumed* of the victory to be

[l] Ep. of Cic. p. 115. not. 6. Yet the *true Cicero*, before that *event*, was for pressing *Brutus* to bring his army into *Italy*; De Bruto arcessendo—valde tibi assentior.—Scripsisti autem ad me iis quas Idibus Maiis dedisti, modo te accepisse a Planco literas, non recipi a

Lepido Antonium. Id si ita est, omnia faciliora. Sin aliter, magnum negotium, cujus exitum non extimesco. Ep. Fam. xi. 14.

[m] —Quo magis nunc liberati, ut spero, *periculis*, in *Dolabella* opprimendo occupati esse debemus. Ep. ad Brut. i. 5.

obtained over *Antony*, but was fully persuaded of the strength and good affection of all the *four* *Generals*, who were engaged in the war against him. The *true Cicero* might express such a presage, because he had good reason to suspect the affections of *three* of those *Generals*. But in the interval between the news of the victory's arriving at *Rome* and the union of *Lepidus* with *Antony*, neither the *true* nor *suspected Cicero* could express such a presage.

I HAVE now fully examined the *matter* of these Letters; which is found in the main to consist of positions and facts either evidently false and wholly contradictory to true History and Antiquities, or widely differing from them in many considerable circumstances, and particularly the circumstance of *time*. As to the *facts*, contained in the Letters, which *are not touched upon by any other writer* [n]; I have occasionally shewn, that they might be feigned from the facts reported by *other writers*, and therefore might be *known to those, who were not intimately acquainted both with the constitution of Rome and the affairs of those times*; and farther that they are generally of such a nature as a *Sophist* would chuse for the subject of his forgery; whether he wrote for his own exercise and amusement only, or with a design to put a cheat upon the world. One *fact*, however, of this kind the Vindicator is pleased to select from all the rest, *as natural and probable, supposing the Letter, in which it is delivered, to be real, but quite otherwise, on the sup-*

[n] *Mul. Pref. Diss.* p. 118.

position of its forgery [o]; and he seems indeed to rest the whole strength of his popular vindication of the Letters on the sacred and inviolable character of one *L. Clodius*, a *Tribune Elect*; who is placed in the very front of the *Latin Text* and brings up the rear of the *Prefatory Dissertation* [p].

Question. *Why*, says he, *should a Sophist pitch upon a Clodius, for one of Cicero's intimate friends; a name particularly hostile to Cicero?* Answer. Because the Sophist might think, that, *though the Clodii were generally in opposition to Cicero, yet in so numerous a family, there were some still without doubt, who were his particular friends.* Qu. *Why should he feign him a Tribune Elect, when the Clodii were generally Patricians, and incapable of the Tribunate?* Ans. Because the Sophist, who was *more perfectly acquainted with the constitution of the Republic than any modern Critic* [q], must know without doubt, that some, in so numerous a family, must have been Plebeians, either by adoption or descent from the freedmen of the Patrician branch. Qu. *Why should he give him a title, that carries with it an historical mark, that might possibly detect him, since it fixes the date of the Letter to some time between the death of Cæsar and the 10th of December; on which day the Tribunes Elect entered into office?* Ans. The title then *does* detect him; since it does *not* carry with it an historical mark, or fix the date of the Letter to some time between the death of Cæsar and the 10th of the following De-

[o] *Mid. Pref. Diff. p. 119.* &c. *Ep. ad Brut. i. 1. Mid.*
 [p] *L. Clodius, Tribunus ple-* *Pref. Diff. p. 119, 20.*
bis designatus, valde me diligit, [q] *Pref. Diff. p. 105.*

cember. For the title is supposed to have been derived from the nomination of J. Cæsar, who a little before his death, named the Consuls and all the Tribunes, for the TWO succeeding YEARS [r]; and therefore this same L. Clodius might continue to be Tribune Elect a whole year after December 10th of the year in which Cæsar was killed [s]. Hence the time of the Letter does not yet appear to be the very season of people's taking their party, either

[r] *Mid. Ep. of Cic. p. 6. not. 2.*

[s] Thus D Brutus and L. Plancus continued to be Consuls Elect after the end of the year, in which Cæsar was killed; and there were Tribunes Elect in Antony's camp before Modena. Non ferent—oculi—duo Praetores, non Tribunum plebis, non duo designatos Tribunos, non Bestiam, non Trebellium. Phil. xii. 8. xiii. 12. Dr. *Mid.* observes, that “ it does not appear from any of Cicero's Letters [or any history,] who this L. Clodius was, but Pighius, in his Annals, takes him to be that Caius Clodius, mentioned by Dio, one of Brutus's Lieutenants and particular confidants in Macedonia, who was intrusted by him with the custody of C. Antony; and if that conjecture be true, then Cicero's recommendation of him, so warmly expressed in this Letter, had the desired effect.” *Ep. of Cic. p. 5. not. 1.* But if Clodius was the bearer of this Letter of recommendation to Bru-

tus, and stayed in Macedonia, it ought to be explained, how a Tribune of the people could lawfully be excused this long absence from the city, where his powerful magistracy too might be of so great importance to Cicero and Brutus. Dionys. Halic. *Antiq. Rom.* l. 8. p. 554. Ed. Sylb. *Mid. Pref. Diff. p. 120.* Again, if he went before December 10th of the year in which Cæsar was killed, it must be explained, how the time of this Letter could be the very season of people's taking their party, either for Antony or Brutus; since Cicero did not know, that Brutus himself had any disposition to enter into a war before December 10th of that year; nor so much as where he was till near two months after. And, lastly, in the interval between December 10th and the 1st of January following, when the new Consuls entered into office, the presence of Clodius, a Tribune, could much less be dispensed with, since the Tribunes had then the whole administration of the city. Phil. iii. 5.

for

for Antony or Brutus; or the very season of L. Clodius's commencing so powerful a Magistrate; on which account Cicero must necessarily be solicitous to secure him to the Republic. Qu. Lastly, Why should the Sophist imagine Clodius to have been obliged to Antony as well as to Brutus, and on that account suspected in his allegiance to the Republic? Anf. He might, most probably, imagine him to have been first recommended by Brutus to Antony, in order to procure Cæsar's nomination of him to the Tribunate [t]; and when he had imagined him to be obliged to Antony, he might on that account farther imagine him suspected in his allegiance to the Republic: nor is there any great depth of contrivance in forming such an artificial Catastrophe and in dressing up a mere dry fact, void of all entertainment to the Reader [u].

THUS the Letter is found to be natural and probable throughout on the supposition of its forgery, provided we suppose farther, that the Author of it was as perfectly acquainted with these matters as even the Vindicator himself. But the Sophist truly seems to have had a longer reach. For in the familiar Epistles there is mention made of one Appius Claudius, who is in many respects similar to our Lucius Clodius, and no farther diversified from him than might be expected from a cunning imitator and a convict perverter of facts in real History. This Ap. Claudius was Cicero's intimate friend, greatly obliged to Antony at the same time, and recommended to D. Brutus by the true Cicero

[t] *Mid. Ep. of Cic.* p. 7.
not, 6.

[u] See *Pref. Diff.* p. 119,
20.

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in nearly the very same expressions of affection and petition that our *L. Clodius* is recommended to *M. Brutus* by the *suspected Cicero* [x]. The main point of difference is, that *Ap. Claudius*, out of a principle of gratitude, joined himself with *Antony*, who was fighting against *D. Brutus*; whereas *L. Clodius*, notwithstanding his obligations to *Antony*, is rather disposed to join himself with *M. Brutus*. By the like stratagem, we observed, because the *familiar* Epistles relate, that the forces of the Republic under *Lentulus* were actually refused reception by the *Rhodians*, the Sophist hence took the occasion of falsely relating, that the *hostile* forces under *Dolabella* were *excluded* by the *Rhodians*, who particularly espoused *Dolabella* and always maintained a good correspondence with him [y]. And now we have got a *Clodius* from *one* of the *familiar* Epistles, it was natural for the Sophist to give him the praenomen of *Lucius* from *another*. For a certain friend of *Cicero* is there called *L. Clodius*, who was *praefectus fabrum* to *Ap. Claudius*, *Cicero's* predecessor in the government of *Cilicia* [z].

[x] Cum Appio Claudio, C. F. *summa mihi necessitudo* est, multis *ejus officiis* et *meis mutuis* constituta. *Peto a te majorem in modum* etc. Cujus quidem causa hoc melior debet esse, quod pietate adductus, propter patris restitutionem, se cum Antonio conjunxit. Ep. Fam. xi. 22. *L. Clodius*—*valde me diligit*, vel, ut ἐμπα-
τιχώτερον dicam, *valde me amat*. Quod cum mihi ita persuasum

fit, non dubito,—quin illum quoque judices *a me amari*.—Auctus Antonii beneficio est.—*Peto a te etiam atque etiam*—Ep. ad Brut. i. 1.

[y] See p. 251. not. y. Ep. ad Brut. ii. 4.

[z] Fecissem nisi mihi *L. Clodius noster* Corcyrae dixisset—Ep. Fam. iii. 5.—Neque ad libertum tuum Brundisii, neque ad praefectum fabrum Corcyrae—retulissem. Ep. 8.

THE Sophist therefore might well pitch upon a *Clodius* for one of *Cicero's* intimate friends; and the praenomen of *Lucius* will easily remove the scruple of the *name's* being particularly hostile to *Cicero*. For *Lucius* had been quite laid aside by the *Patrician* branch of the *Claudian* family, to which *P. Clodius*, *Cicero's* mortal enemy, belonged [a]. Hence likewise this *Lucius* might be feigned *Tribune elect*, and as capable of the *Tribunate* as any of his *Plebeian* Ancestors; for it is far from being true, that the *Clodii* or *Claudii* were generally *Patricians* [b]. But if it is contended, in order to increase the *improbability* of a forgery, that our *L. Clodius* must necessarily belong to the *Patrician* branch; this very circumstance is no less than a demonstration of the forgery. For not only the whole family of the famous *P. Clodius* was *notoriously* hostile to *Cicero* at this very time [c]; but there were *no Plebeians* in so numerous a family, either by *adoption* or *descent from the freedmen* of the *Patrician* branch. The inquisitive *Suetonius*, where he is professedly giving us the memoirs of the *Patrician* family of the *Claudii*, declares expressly; “ That they were *most notoriously* and *uni-*

[a] *Patricia gens Clodia* (fuit enim et alia plebeia, nec potentia minor nec dignitate)—cum praenominibus cognominibusque variis distingueretur, *Lucii* praenomen consensu repudiavit, postquam e duobus gentilibus praeditis eo, alter latrocinii, caedis alter convictus est. Suet. in Tiber. c. 1.

[b] *Q. Claudius* *Tribunus*

plebis. Liv. xxi. 63. *Tribuni plebis*—*M. Claudius Marcellus* et *M. Cincius Alimentus*. xxix. 20. *C. Sulpicius* et *M. Claudius* *Tribuni*. xliii. 14. V. Suet. supra.

[c] *Possessiones enim sunt P. Clodii. Tota familia occurret*—propter familiaritatem *notissimam*. Hisce ego me viis committam? Phil. xii. 9.

“ *versally Patricians*, with the single exception of
 “ *P. Clodius*, who in order to procure *Cicero’s* ba-
 “ nishment gave himself *in adoption* to a *Plebeian* ;
 “ that they were always eminently distinguished
 “ for asserting the *Patrician* cause, and so invete-
 “ rately violent against the *Plebeians*, that they
 “ would never supplicate *the people* in a trial of
 “ life and death, nor sometimes scruple to offer in-
 “ sult even to the Tribunes themselves [*d*].”
 This, I think, is sufficient to cancel the *designation*,
 and much more the *actual* *Tribunate* of *L. Clodius*,
 a *descendent* or *dependent* of the *Patrician* family,
 out of the *Annals* ; as well as to explode the *Vindi-*
cator’s method of making him *Plebeian* again, out
 of the *Antiquities* of *Rome*.

XXXVI. THE Letter singled out as so *natural*
and probable supposing it to be real, appears by the
Vindicator’s own account to be full as *natural* and
probable, on the supposition of its forgery ; and by
 the true account of *Roman* History and Antiquities
 to be either absolutely contradictory to them, or
 very probably copied from the *familiar* Epistles.

I offered two objections more to the *general* cha-
 racter of the Letters ; first, “ That in the Letters
 “ of *Cicero* there is a very discernible want of the
 “ just sentiment, masterly comprehension, genuine

[*d*] *Notissimum est, Claudios omnes, excepto duntaxat P. Clodio, qui ob expellendum urbe Ciceronem, plebeio homini—in adoptionem se dedit, optimates assertoresque unicos dignitatis ac potentiae Patriciorum semper fuisse, atque adversus plebem*

adeo violentos ac contumaces, ut ne capitis quidem quisquam reus apud populum mutare ver-
 item aut deprecari sustinuerit ;
 nonnulli in altercatione et jurgio Tribunos plebis pulsaverint.
 Suet. in Tiber. c. 2.

“ purity

“purity and flowing copiousness of the Ciceronian composition:” And, secondly, “That in the Letters of *both* the parties there is a general *sameness* of reflection, and a style and manner of writing perfectly *similar*, even in impropriety; and such a *laboured* and *precise punctuality*, both in diction and sentiment, as plainly betray their *scholastic origine*.” Under the first head the Vindicator makes me object to the Letters, *that they want the beauty and copiousness of the Ciceronian style only*; and takes upon him to pronounce the objection *contemptibly supported*; though he owns at the same time, that I *supported* it by *several passages* of the Letters, which he *cannot dispute*, except he will *profess himself to be a perfect master, not only of Cicero’s writings, but of the whole extent of the Latin tongue* [e]. However what mere modesty would not permit him to *dispute* in the *apologetical*, he often takes the *assurance to correct* in the *critical* part of his performance, without so much as pretending any authority of MSS. or antient editions; by which he might intend to create me a double trouble, first, of proving that the *readings* of the passages objected to are *right*, and then of proving that the *passages* themselves are *wrong*; and likewise to reserve to himself the privilege of asserting, that if the *passages* are *wrong*, the *readings* cannot be *right*.

THE *sentiments* of Cicero’s Letters are, not only more strongly tinged with the *conjectural* colour than is to be seen in any *real* correspondence of the same extent, but, as we have all along observed,

[e] *Mid. Pref. Diff.* p. 112, 113.

many times *unsuitable* to the circumstance and occasion, *repeatedly* laboured, and defective both in *sense* and *argument*. The Letter, which carries the first news of the most important victory of *Modena*, begins coldly; “Our affairs seem to have taken a “better turn [f]:” Nor can this well be accounted for by saying, that Cicero *omits to recite the particulars of these important actions, as knowing Brutus to be punctually informed of them from other hands* [g]. For Cicero, like a Sophist much at ease in his study, omits to express the least symptom of joy on so great an occasion; and after he has qualified the news with a sudden *prophecy* of *Octavius’s* disaffection, does at last actually recite the very *particulars*, which were most notorious, of the *two actions* before *Modena*. A short Letter of Cicero, which warmly represents the public danger, after the union of *Lepidus* with *Antony*, and presses *Brutus* to bring his army into *Italy* directly; is introduced with a *repeated* and trifling expostulation with him about the *shortness of his Letters*: “Your Letter was *short*,” says Cicero, “*short* do I say? It was *no Letter at all*. “In times like these can *Brutus* think *three lines* “enough to me? I would rather have written “*nothing*. And yet you are calling for my Letters. Did any of your people ever come to “you without them? And was there ever a single “Epistle, which had not something of *weight* in “it? If these have not been delivered to you, “neither were your Letters from home, I sup-

[f] *Nostrae res meliore loco videbantur.* Ep. ad Brut. i. 3.

[g] *Mid. Ep. of Cic. p. 58. not. 1.*

“ pose, delivered to you. But you will send me
 “ a *longer* Letter, you say, by my Son. That in-
 “ deed will be right, but this also ought to have
 “ been *fuller*. For my part, you had no sooner
 “ writ to me concerning my Son’s leaving you, than
 “ I dispatched away messengers, with Letters to my
 “ Son, that if they had found him even landed
 “ in *Italy*, he should turn back directly to you :
 “ that nothing could be more agreeable to me, or
 “ reputable to him : though I had written to him
 “ several times before, that I had procured the
 “ elections of Priests to be postponed, after a very
 “ hard struggle, to the next year. In which I
 “ exerted myself not only for the sake of *Cicero*,
 “ but of *Domitius*, *Cato*, *Lentulus* and the *Bibu-*
 “ *lus*’s. This I mentioned also in a Letter to you,
 “ which was not, it seems, come to your hands,
 “ when you sent away that *puny* Epistle of yours
 “ [b].” This notable introduction to the *business*
 of the Letter, as *scholastic* as it is, yet might have
 been quite spared ; since *Cicero* proceeds to “ beg
 “ of *Brutus* with the greatest earnestness to come
 “ into *Italy* and bring young *Cicero* along with
 “ him ; which must be done *instantly*, if he had
 “ any regard for the Republic, for which he was
 “ born :” But the Vindicator very well accounts
 for the thought, which is predominant, in the Let-
 ter ; since Plutarch *takes notice*, that *Brutus* was
 remarkable for his brevity, in all [some of] his
 Greek *Epistles*, in which he affected the sententious
 and Laconic style. *Cicero*, he farther observes,
 rallies *Brutus* here for the same affectation in his

[b] Ep. ad Brut. i. 14. *Mid. Ep. of Cic.* p. 137.

Latin Letters. But it appears on the whole, says he, from the other Letters of this collection, that there was no great reason to complain of him on this head [i].

Cicero again compares the case of Brutus's being forced from the city with that of his own exile, and calls the latter the more lamentable disaster; though he owns the danger to be alike in both [k]. Now Brutus suffered in the universal calamity, whereas Cicero's was not any other than a private misfortune; nor does it at all mend the matter to tell us, that Cicero was banished by a particular law, which had not yet happened to Brutus [l]. For the law, which banished Cicero, was null and void in itself, because it was particular [m]; and Brutus was not only banished by force of arms and an over-ruling power, but by force of laws, to which he was still obnoxious; his act of killing Cæsar having never received any authoritative sanction [n]; and he was accordingly condemned for it a little while after [o].—Our suspected Cicero “ is in fear

[i] *Mid. Ep. of Cic. p. 140.*
not. 1.

[k]—*Quam [urbem] tu fugeres,—quod mihi quoque quondam acciderat, periculo simili, casu tristiore. Ep. ad Brut. i. 10.*

[l] *Mid. Ep. of Cic. p. 135.*
not. 12.

[m] *Vetant leges sacratae, vetant xii tabulae, leges privatis hominibus irrogari. Id est enim privilegium.—Hoc plebiscitum est? haec lex? haec rogatio est? Cic. pro dom. c. 17.*

[n] *Cum teneri urbem a paricidis viderem, nec te in ea nec Cassium tuto esse posse;—Ep. ad Brut. i. 15. Turpe mihi ipsi videbatur in eam urbem me audere reverti, ex qua Brutus cederet; et ibi velle tuto esse, ubi ille non posset. Phil. i. 4. De hac quidem divina atque immortali laude M. Bruti filebo, quae—nondum publica auctoritate testata est. Ib. x. 3.*

[o] *Qui parentem conjurati occidissent in exilium expuli judiciis legitimis. Mon. Ancy-*

“ of incurring the imputation of *rashness* in making
 “ *Octavius* so great; though,” says he, “ what
 “ *rashness* can there be in it? For I have bound
 “ him, for whom I was surety, more strongly
 “ than myself [*p*].” If he meant, that he had
 laid *Octavius* or himself under a *legal* obligation
 of performance by being *surety* for him; this is
 true of *neither* of them [*q*]: but if he did not mean
 it, his argument is sophistic, and he was very well
 apprized of “ the danger, and therefore *rashness*,
 “ of engaging for another, on account of the
 “ unknown dispositions and variable natures of men
 “ [*r*].” He himself had argued just before, in
 the same critical strain; “ That it is a matter
 “ of greater concern and difficulty, in affairs espe-
 “ cially of the utmost importance, to engage one-
 “ self for the sentiments and principles, than for
 “ the money of another. For the money”, says

ran. apud Chish. Antiq. Asiat. p. 172. Indeed *Brutus* and *Cassius* were judicially banished by virtue of the *Pedian* law. Paterc. l. 2. c. 69. But they were obnoxious to the *Julian* law of *public force* and *lese majesty*, which had appointed the very same punishment. Quid, quod obrogatur legibus *Caesaris*, quae jubent ei, qui de vi, itemque ei, qui majestatis damnatus sit, *aqua et igni interdici*? Phil. i. 9.

[*p*] Hic quoque labor mihi accessit,—ne famam subeam temeritatis. Quanquam quae temeritas est? Magis enim illum, pro quo sponendi, quam me obligavi. Ep. ad Brut. i. 18.

[*q*] Promitto, recipio, spon-

deo, P. C. C. Caesarem talem *semper fore civem*, qualis hodie est. Phil. v. 18. Si quis alium daturum, *facturumve* quid *promiserit*, non obligabitur: veluti si *spondeat*, Titium quinque aureos daturum. Justinian. Inst. l. 3. tit. 20. §. 3.

[*r*] Non soleo, mi Brute, (quod tibi notum esse arbitror) *temere affirmare de altero*: est enim periculosum propter occultas hominum voluntates, multiplicesque naturas. Ep. ad Brut. i. 1. Here seems, in the *first* Letter, to be an oratorial *anticipation* of, and defence against the principal charge, which was long afterwards to be brought against *Cicero*.

B b

he,

he, “may be paid and the loss be tolerable;” [perhaps not, if it is a sum engaged in an affair of *the utmost importance*:] “but how can you pay what you engage to the Republic, unless he, for whom you engage, will suffer it to be paid? Yet I am still in hopes to hold *Octavius* [s].” Now these *hopes* are expressed as late as *July 27th*, before which time *Octavius* had actually entered into the league with *Antony* and *Lepidus*, in consequence of which he made his open claim of the Consulship [t]. But why does *Cicero* hope to hold *Octavius*? Why truly, for a reason which should make him *not* hope it. “For the youth,” says he, “is persuaded, and chiefly by myself, that we intirely depend upon him for our safety [u].”

[s] Est autem gravior et difficilior animi et sententiae, maximis praesertim in rebus, pro altero, quam pecuniae obligatio. Haec enim solvi potest, et est rei familiaris jactura tolerabilis: Reip. quod sponderis, quemadmodum solvas, nisi is dependi facile patitur, pro quo sponderis? Quamquam et hunc, ut spero, tenebo. Ep. ad Brut. i. 18.

[t] Ut cognovit, Antonium post fugam a M. Lepido receptum, — causam optimatum sine cunctatione deseruit. Suet. in Aug. c. 12. Quod vivit Antonius hodie, quod Lepidus una est, — omne Caesari acceptum referre possunt. — Quae mens eum, aut quorum consilia — ad cogitationem Consulatus — transfulerint, exputare non possum. — v Kal. Sextiles, ex castris. Ep.

Fam. x. 24. This Letter of *Plancus* is dated only the day before the Letter, in which our *Cicero* expresses his *hopes of still holding Octavius*.

[u] Utinam tam facile eum — tenere possimus, quam facile adhuc tenuimus! Est omnino illud difficilius; sed tamen non diffidimus. Persuasum est enim adolescenti, et maxime per me, ejus opera nos esse salvos. Ep. ad Brut. i. 3. These topics, which the Rhetoricians call *common*, were an excellent fund for the antient dealers in *controversial* forgery. *Brutus* therefore turns the argument the *contrary* way. An hoc tibi persuasum est, fore ceteros ab eo liberos, quo invito nobis in ista civitate locus non sit? Ep. Brut. i. 16.

—Cicero and his Translator suppose, that *Lepidus's* estate was *confiscated* on his being adjudged an *enemy* to the State; which was indeed the case of *Antony* and *Dolabella* [*x*]: but it appears from these very instances, that *confiscation* did not ensue upon any one's being adjudged an *enemy*, except it was *expressed* in the Senate's decree; nor was this expressed in the decree, which declared *Lepidus* an enemy, the same decree, made on the *last* of *June*, giving him moreover the power of returning to his duty till the *first* of *September* [*y*]. From the *false* supposition, however, *Cicero* takes the occasion, in two Letters, of objecting “the cruelty of “innocent children's suffering for their parents “faults;” and of answering as often, “that *Lepidus* would be still more cruel, if he should be “conqueror; that examples of severity were necessary to deter others from the like practices; “that such was the prudence of laws and all nations, for which we have the example of *Themistocles's* children; and that the same punishment “must have followed even a judicial condemnation “in an action of *force* [*z*].” The last reason

[*x*] Nullo enim modo poterat causa Lepidi distingui ab Antonio. Ep. ad Brut. i. 12. “*Lepidus*—adjudged an enemy, and his estate *confiscated*.” *Mid. Ep.* of *Cic.* p. 120. not. 3. Tot civibus pro patria amissis, hostibus denique omnibus judicatis, *bonisque publicatis*. Ep. Fam. x. 21. Judicavit hostem Dolabellam: *bona* ejus censuit publice possidenda; quo cum addi

nihil posset,—Phil. xi. 6.

[*y*] *Lepidus*—pridie Kal. Quint.—hostis a Senatu judicatus est, ceterique qui una cum illo a Rep. defecerunt: quibus tamen ad sanitatem redeundi ante Kal. Sept. potestas facta est. Ep. Fam. xii. 10.

[*z*] Nec vero me fugit, quam fit acerbum parentum scelera filiorum poenis lui, etc. Ep. ad Brut. i. 12. Videtur illud esse crudele, quod ad libe-

is so crudely expressed, that the Writer seems to declare, in the one Letter, that confiscation was the punishment indiscriminately of *all force*; and in the other, that it was the necessary effect of *conviction* in every *criminal* case [a]: whereas, by the *Julian* law then in practice, *armed* or *public* force only was punished with banishment, and *private* force with forfeiture of *one third*; but *Cæsar*, as *Suetonius* relates upon the authority of the *true Cicero*, increased the penalty of other crimes by mulcting the wealthy in *half* of their substance [b]. As this curious dissertation concerning the propriety “of punishing children for the sins of their parents,” carries with it a very unclassical and suspicious air; so the general supposition “of forfeiture’s following conviction,” might very probably be derived from the frequent use of confiscations under the *Roman* Emperors: especially since the *Vindicator* collects from the Letters, “that when *Lepidus*’s sons were necessarily ruined by the vote, which confiscated the father’s estate, *Cicero* was solicited very earnestly, either that the decree might not pass, or that the children should be excepted out of it; and though he could not consent to either, yet he prevailed

ros, qui nihil meruerunt, poena pervenit, etc. Ep. 15.

[a] Atque ille si, armis positus, *de vi* damnatus esset,—eandem calamitatem subirent liberi, bonis publicatis. Ep. 12. Si *judicio damnatos* eadem poena sequitur cives,—Ep. 15.

[b] Phil. i. 9. Damnato *de vi publica* aqua et igni interdictur. Ulpian. ad Leg. Jul. *de vi publ.* Dig. l. 48. l. 10. De

vi privata damnati pars tertia bonorum ex lege Julia publicatur. Marcian. ad L. Jul. *de vi privat.* ib. l. 1. Poenas facinorum auxit: et cum locupletes eo facilius scelere se obligarent, quod integris patrimoniis exulabant, parricidas, ut Cicero scribit, bonis omnibus, reliquos dimidia parte multavit. Suet. in, Cæsar, c. 42.

“with

“ with the Senate to suspend the execution of the
 “ *act* so far as it related to them [c].” Now *Ar-*
cadius and *Honorius*, considering with our *Cicero*,
 that examples of such severity were necessary to deter
 others from the like practices, enlarged by a certain
act the notion of *lese Majesty* or *Treason* to an almost
 boundless extent ; whence the delinquent’s sons were
 not only of course ruined by the confiscation of
 their father’s estate, but expressly declared incapable
 of all inheritance and bequest whatsoever. But
 these Emperors considering again the cruelty of
 punishing the innocent children for their parents
 crimes, and upon earnest sollicitation, no doubt,
 suspended the execution of the *act* so far as related
 to them, and to all those besides who were not pro-

[c] Life of *Cic.* v. 2. p. 452,
 55. Sororis tuæ filiis quam
 diligenter consulam, spero te—
 cogniturum. Qua in causa ma-
 jorem habeo rationem tuæ vo-
 luntatis, — quam—constantiae
 meae. Ep. ad Brut. i. 15.
 Now we have already shewn,
 that the execution of the *act*
 was in fact suspended as far as
 it related to *Lepidus* himself;
 and therefore *Cicero* might
 have spared himself all this
 trouble in contriving some me-
 thod to exempt the children from
 the legal effects of the decree of
 the Senate, so far as to prevent
 their being involved in the ruin
 of their father’s fortunes. Mid.
 Ep. of *Cic.* p. 164. not. 28.
 The Dr. would have done well
 to explain what method this
 could possibly be in the Roman
 Republic; if *Lepidus* was ab-
 solutely adjudged an enemy by

a vote, which confiscated his
 estate. *Brutus*, on the other
 hand, drops a hint of a method
 of like nature, which ought to
 have been reconciled to the
 practice of the Republic. Po-
 test abs te expediri, ut aliqua
 pars militum istinc mittatur no-
 bis, vel secreto consilio adversus
Pansam, vel actione in Senatu.
 Ep. Brut. ii. 5. —“ Either by
 “ some secret management a-
 “ gainst the will of *Pansa*, or
 “ by a motion in the Senate.”
 Mid. Ep. of *Cic.* p. 111. Now
 the Sophist seems to have
 thought, that the forces of the
 Republic could be destined to
Brutus by a select juncto or
 privy council of Senators, as
 well as by the collective body
 of the Senate; which notion he
 probably derived from the pra-
 ctice of later polities.

perly accomplices in the fact [*d*].—We may farther observe, that *Cicero* inculcates some *school-maxims*; such as the definition of *pardon*; which is, “to overlook the punishment of an offence;” and whereas the Letter to *Octavius* asserts *in thesi*, “that of two evils, since the greater is to be avoided, the less is to be chosen;” the Letter to *Brutus* asserts *in hypothesis*, “that there was not so much evil in erecting a statue to *Lepidus*, as there was good in pulling it down [*e*].”

There is nothing more distinguishing in the *Ciceronian* composition, than such a thorough view and masterly comprehension of the subject as declares itself, not only in justness, perspicuity, celerity and exuberance both of sentiment and expression, but in natural conception, orderly distribution, and inimitable artifice and easiness of transition. *Cicero*’s Letters in particular, whether of business or compliment, consist of a plan, and introduce one incident upon another by a secret, but

[*d*] Quisquis—sceleſtam inierit factionem,—de nece etiam virorum illuſtrium—cogitaverit;—ipſe quidem, utpote *majeſtatis reus*, gladio feriatuꝛ, bonis ejus omnibus fiſco noſtro adiectis. Filii vero ejus—(in quibus paterni, hoc eſt, *hereditarii criminis exempla metuuntur*)—hereditate ac ſucceſſione habeantur alieni, teſtamenti extraneorum nihil capiant. Cod. l. 9. tit. 8. l. 5. Sancimus, ibi eſſe poenam, ubi et noxia eſt. *Pro-pinquos*—procul a calumnia ſubmovemus, quos reos ſcleris ſocietas non facit. Nec enim *adfini-*

tas vel amicitia nefarium crimen admittunt. Peccata igituꝛ ſuos teneant auctores; nec ulterius progrediatur metus, quam reperiatur delictum. Hoc ſingulis quibuſque judicibus intrometur. Ib. tit. 47. l. 22.

[*e*] Sceleris poenam prætermittere—eſt quod vocatur ignoſcere.—Nec tamen tantum in ſtatuenda Lepidi ſtatua factum eſt mali, quantum in evertenda boni. Ep. ad Brut. i. 15. In duobus autem malis, cum fugiendum majus ſit, levius eſt eligendum. Ep. ad Octav.

ſubſtantial

substantial tye of strict consecution or plausible resemblance; and even when he would at any time *insinuate* what he cannot *express*, he usually connects it with something of such *similar* nature, that his intelligent correspondent is never at a loss to understand him. Thus he writes to *Atticus* concerning *Pompey's* sending a divorce to his wife *Mucia*, and immediately subjoins the story of *P. Clodius's* appearing in disguise at the rites of *Bona Dea*, which were celebrated in *Cæsar's* house; whence *Plutarch* might collect from *Cicero's* Epistles the *real cause* of *Mucia's* divorce [*f*]. *Cicero* often values himself upon his singular and *established æconomy* of distribution, as he calls it; and takes notice of his departing from it, when he is to pursue minutely the incidents, which *Atticus* had crowded together in a confused and hasty Letter [*g*]. The judicious Editors of these Letters have hence taken the occasion of *dividing* them in numerous instances, and they may be divided in more instances still; because otherwise many facts would, disagreeably to *Cicero's* manner, either be disposed *without* art, or repeated *against* the obvious rules of art. If the

[*f*] Divortium Muciae vehementer probatur. P. Clodium—credo te audisse, cum veste muliebri deprehensum domi C. Cæsaris, cum pro populo fieret. Ep. ad Att. i. 12. Ἐξέβρισε γὰρ ἡ Μυρία.—Ἐν δ' ἐπιστολῇς Κικέρωνος ἡ αἰτία γεγραπταί. Plut. in Pomp. 641. An vero Plutarchus hunc locum notavit in Pompeio scribens, causam hujus divortii relatam esse in epistolis Cicero-

nis; quae utique hic non exprimitur. Popma in loc. Ep. ad Att.

[*g*] His igitur respondebo; sic enim postulas: nec *οἰκονομίαν* meam institutam; sed ordinem conservabo tuum.—*Ὁικονομία* si perturbatio est, tibi assignato: te enim sequor *σχεδιάζομαι*.—De statua Africani (*ὃ παρεγμάτων ἀσυγκλάσων!* sed meipsum delectavit in tuis literis)—Ep. ad Att. vi. 1.

few scattered to Brutus still remaining were tried by this test, we should have little reason to complain of their *paucity*; though Brutus probably would be complaining of their *shortness*. For besides an utter want of the *Ciceronian æconomy* in their whole constitution, the *second* Letter of the more *classical* collection begins with a long detail of affairs relating to *Dolabella*, passes on to the expostulation about *C. Antony*, the prisoner, requires farther advices and mentions other affairs concerning *Dolabella*, and returns to the expostulation with recollected vigour. The *next* Letter is introduced with a slight mention of the *conduct* of the Consuls before *Modena*, telling us, that Brutus was already acquainted with the *events* of the battle; and after dropping a suspicion concerning *Octavius* and reciting the city-news at large, especially the triumphant glory of *Cicero*, relates the *death* of the Consuls and the most notorious *events* of the battle, concluding at length with some more city-news [b].

As to the *style* of these Letters; the Vindicator declares very roundly, though with little consistency, as we have already observed, that *all arguments drawn from style are of too loose and precarious a nature, to have any great weight in questions of this sort; there being no settled rule or criterion, to which we can apply them, but the different taste and judgment of different men* [i]. In much the same strain the Sophists in *writing* and *reasoning* of old times were used to say, that there is *no settled rule or criterion* of the principles of eloquence or science, *to which we can apply them, but the different*

[b] Ep. ad Brut. i. 2, 3.

[i] Mid. Pref. Diff. p. 114.

taste and judgment of different men [k]. But Gellius and several of his learned acquaintance, discerning readers of *Plautus's* comedies, would not, in their reception of the *dubious* ones, trust so much to the established catalogues and editions, as to the genuine humour and character of *Plautus's* style. By the same criterion *Varro*, a much more antient and sufficient judge, asserted to *Plautus* several comedies, which passed under *other* names; and deprived him of some, which passed under the *same* name, really belonging to one *Plautius*, and therefore carrying the ambiguous title of *Plauti fabulæ* [l]. In like manner *Petrarch* was sure, that the books of *Academical Disputations*, of which he had procured a copy under the falsified title *In praise of Philosophy*, must be *Cicero's*; and *Manutius* was sure, that the Epistle to *Octavius* could not be *Ci-*

[k] Sed in omni re difficultum est, *formam* (quod χαρᾶς Graece dicitur) exponere optimi: quod *aliud aliis videtur* optimum. — *Varia* enim sunt *judicia*. — Quid est, quo *praescriptum* aliquod aut *formulam* exprimas? — Hac ego religione non sum ab hoc conatu repulsus; existimavique in omnibus rebus esse aliquid optimum, etiamsi lateret: idque ab eo posse, qui ejus rei *guarus* esset, judicari. Cic. Orat. c. 11. Nihil cognosci, nihil percipi, nihil scire posse dixerunt. — *Opinionibus* et institutis omnia teneri; nihil *veritati* relinqui. Acad. Disp. l. 1. c. 13.

[l] Verum esse comperior, quod quosdam bene literatos homines dicere audivi, qui ple-

rasque Plauti comoedias curiose atque contente leſtitaverunt, non indicibus Aelii, nec Sediti, nec Claudii, nec Aurelii, nec Accii, nec Manilii super his fabulis, quae dicuntur ambiguae, credituros; sed ipsi Plauto *moribusque* ingenii atque *linguae* ejus. Hac enim indicii *norma* Varronem quoque esse usum videmus. Nam—alias probavit, adductus *stylo* atque *facetia sermonis* Plauto congruentis; easque jam nominibus aliorum occupatas Plauto vindicavit. — In eodem libro Varronis—scriptum est, Plautium fuisse quempiam poetam comoediarum, cujus quoniam fabulae Plauti inscriptae forent, acceptas esse quasi Plautinas. Gell. Noct. Att. l. 3. c. 3.

cero's

cero's, by the settled rule “ of the divine eloquence
 “ of his style, which was not imitable by any [m].”
 Now it is confessed, that *the expression* of the *su-*
spected Letters, under *Cicero's* name, is *somewhat*
different from that of his other Epistles, which
 may be *charged to a difference of the subject*; that
 one of these Letters is *slight as well as short*, but
 for that reason *more agreeable to the situation of*
Brutus; and that another is written *in such a man-*
ner as might be expected from one writing, as Cicero
says, in haste and in a crowd [n]. The Vindicator
 may be easily convinced, by making the experi-
 ment upon *Cicero's other Epistles*, and especially
 the Epistles to *Atticus*, which were generally written
in great haste; that they despise such sorry apo-
 logies, and uniformly bear the certain *Ciceronian*
 marks of masterly thought, beautiful expression, and
 flowing ease and celerity, if not copiousness of pe-
 riod. Nay, we may sometimes even here observe
 the very *redundancy of his juvenile fancy*, which
 is almost invariably diffused through all his Ora-
 tions, from the celebrated defence of *S. Roscius of*
Ameria, made in his 27th year, to the *second Phi-*
lippic: this oration, though it was written in that
 decline of life and after a discipline and experience
 of more than thirty years, still *wanting the cor-*
rection of the sounder judgment of his friend *Atti-*
cus [o].

[m] Quisnam esset [liber] in-
 certus, esse autem Ciceronis sty-
 lus indicio erat. Fuit enim coe-
 lestis viri illius eloquentia, imi-
 tabilis nulli. Petrarch. rer. sen.
 l. 15. Ep. 1. Epistolam ad
 Octavium—Ciceronis non esse

ἐκ τῆς χαριεστέρως intelligo.
 Manut. in Ep. ad Octav.

[n] *Mid. Pref. Diss.* p. 115,
 101. *Ep. of Cic.* p. 28. not. 8.

[o] Nostrum opus tibi pro-
 bari laetor: ex quo ἄνθ' ipsa
 posuisti, quae mihi *florantiora*

BUT

BUT the lively imagery and figurative splendor, which equally animate and adorn the whole body of *Cicero's* writings, are intirely wanting in the Letters to *Brutus*. The Sophist can never once attain to the pitch of a laudable *metaphor*; though he endeavours to make amends by some vulgar *antitheses*, the feeble efforts and scanty resources of a labouring and unfurnished imagination. He begins his Letter of *condolence* with the low artifice of telling *Brutus*, "that he *knows* him to stand " in no need of consolatory applications;" but immediately spoils the compliment by expressing " a " *wish*, that *Brutus* was able to be his own Physi- " cian." The assemblage and variety of oppositions is most admirable. " *I* should perform," says *Cicero*, " the same office, which *you* performed " in *my* loss, of comforting *you* by letter, did not " I know, that *you* cannot want those remedies " in *your* grief, with which *you* relieved *mine*: " and I wish, that *you* may *now* cure *yourself* " more easily than *you then* cured *me* [*p*]." The

sunt viva tuo judicio. Ep. ad Att. xvi. 11. " The Oration " shews, that in the decline of " life, *Cicero* had lost no share " of that fire and spirit, with " which his earlier productions " are animated." Life of *Cic.* v. 2. p. 320. See v. 1. p. 37, 38.

[*p*] Fungerer officio, quo tu functus es in meo luctu, teque per literas consolarer, nisi scirem, his remediis, quibus meum dolorem tu levasses, te in tuo non egere: ac velim facilius, quam tunc mihi, nunc tibi tute

medeare. Ep. ad Brut. i. 9. Dr. *M.* translates the latter sentence; " I wish only, that *you* " may cure yourself now more " easily, than at that time I " cured myself." P. 111. I observed, that *Brutus's* Letter of consolation did not perform the least cure upon *Cicero*. De Bruti ad me literis;—prudenter scriptae: sed *nihil* quo *me* *adjuvarent*. Ep. ad Att. xii. 14. The suspected *Cicero* goes on; *Accusasti* me—*gravioribus* verbis quam *tua consuetudo* ferebat. But *Brutus's* Letter was written

same

same *antithetical* colour is spread over the whole piece. “ You imagined me,” says he, “ to bear
 “ my affliction with more softness than became a
 “ man, especially one who was used to comfort
 “ others:—but *my part* was *then* only to act
 “ agreeably to duty and nature; *your part* is *now*
 “ to be acted, as we say, upon the stage and be-
 “ fore the *people*:—it would be strange in a
 “ man, especially so great an *one* as you, not to be
 “ able to do *himself* what he had advised to *others*:
 “ —it least of all becomes *one*, by whom *other*
 “ *people* are made the stouter, to betray any want
 “ of courage *himself*:—to grieve with modera-
 “ tion to *others* is useful, to *you* necessary [*q*].”
 He returns in the end to the same scheme of com-
 pliment, with which he set out, and says with no
 more modesty than became him; “ I should write
 “ more if this was not already too much to you [*r*].”
 The like trifling affectation appears in the *second* Let-
 ter, which upon the news of *Dolabella’s* sending five

with great *tenderness* and *hu-
 manity*. Bruti literae scriptae
 et prudenter et *amice*, multas
 mihi tamen *lacrimas* attulerunt.
 Ep. ad Att. ib. 13. On the
 contrary, *Brutus*, whose cor-
 respondence with *Cicero* began
 when the latter was Proconsul
 of *Cilicia*, had generally writ-
 ten to him *hitherto* in an *un-
 mannerly, churlish, and arrogant*
strain. Ib. vi. 1. 3. We have
 mentioned the reasons of *Bru-
 tus’s* complaints, p. 88, etc.

[*q*] Cum enim mollius tibi
 ferre viderer, quam deceret
 virum, praesertim eum, qui ali-

os consolari solet;—Ac mihi
 tum—officio solum erat et na-
 turae, tibi nunc populo et sce-
 nae, ut dicitur, serviendum est.
 —Est enim alienum tanto
 viro, ut es tu, quod alteri prae-
 ceperit, id ipsum facere non
 posse.—Minime decet pro-
 pter [*per*] quem fortiores ceteri
 sumus, eum ipsum animo de-
 bilitatum videri.—Dolere—
 modice, ceteris utile est, tibi
 necesse est. Ep. ad Brut. i. 15.

[*r*] Scriberem plura, nisi ad
 te haec ipsa nimis multa essent.
 Ibid.

Cohorts into the *Chersonese*, breaks out into a puffy exclamation; "What," says *Cicero*, does the man "abound then so much in forces, that he, who "was said to be *flying out of Asia*, should attempt "to *turn upon Europe*; and what can he pretend "to do with *five Cohorts*, when you have *five "Legions, &c. [s]?"*

The instances of unnatural or ambiguous construction, of low and almost barbarous expression, cannot indeed be *the proper subject of this dispute [t]*. There are likewise numerous imitations of

[s] Adeone copiis abundat, ut is, qui ex Asia fugere dicebatur, Europam appetere conetur? Quinque autem cohortibus quid senam facturum arbitratus est, cum tu eo quinque legiones—haberes? Ib. Ep. 2.

[t] Quid *senam* facturum arbitratus est? Dr. M. here drops the *nam* without assigning any reason. P. 88. Yet the same dialect is used in the next Letter: Multitudinis—concursum est ad me factus. *Eacum* usque in Capitolium deductus, maximo—plausu in rostris collocatus sum. Ep. 3. The Dr. again depraves this reading by inserting *tum*. *Ea cum*—deductus,—*tum*—collocatus sum. P. 56. So that *Cicero* is placed in the *Rostra* by the people, which could not be done *more majorum* by any other than a *Magistrate*.—Cum tu *eo* quinque legiones—haberes. Ep. 2. *Manutius* denies that there is any instance of this use of the word *eo* in *Cicero* or any good *Latin* writer. I produced an instance from a counterfeit *Cicero*.—Consulem def. rursum inclusum *eo*, ubi se—

tueretur. Ep. ad Octav. Quod scribis me *maximo otio* egisse—Ep. ad Brut. i. 2. The Sophist meant to say,—“in a time of “most profound peace.” The Dr. makes him say,—“much “at my ease.” P. 91. *Manutius* could collect from the words no sense at all. Est—alienum tanto viro, ut es tu, i. e. *quantus* es tu. Ep. 9. Ex me autem illud est, quod te velim habere cognitum, meum quidem animum in *aciem* esse, neque *respectum* ullum quaerere.—*Majores* autem *partes animi* te *Cassiumque* respiciunt. Ib. ii. 1. The natural order is, Illud autem est, quod te ex me—The Dr. translates the latter part; “My mind is wholly “intent on the war, nor cares “to attend to any other object. “—But the greatest part of my “attention is fixed upon you “and *Cassius*.” P. 53. I translate it; “My mind wholly depends on the army before *Moderata*; nor does it look for any “other resort.—But the minds “of people for the most part look “for resort in you and *Cassius*.”

Cicero's

Cicero's genuine works, especially the *Philippic* Orations and *familiar* Epistles, which relate to this period; and if our late *Corrector* had more diligently compared the copy with the originals, he would not have made *Cicero's* hand still less di-

An instance of like *Latinity* occurs in a following Letter; *Ne animi partium Caesaris*—vehementer commoverentur. Ep. 6. Both the passages seem to be imitated from the *Philippics*. Non ut ex ea acie respectum haberemus. Phil. xi. 11. Alteri sunt e mediis *C. Caesaris partibus*. v. 12. Quocum [*Antonio*] vides hoc tempore ipso quod sit quantumque certamen. Id profecto nullum esset, nisi tum conservatus esset *Antonius*. Ep. ad Brut. ii. 7. The sentiment, grammatically expressed, is; "We should not have *Anthony* to fight with *now*, if he "had been killed *some time ago*." Haec ego multo ante prospiciens, fugiebam ex Italia, tum cum me vestrorum edictorum fama revocavit. Ib. i. 10. He literally says, "That before he left *Italy*, "for making his voyage into "*Greece*, he foresaw *Octavius's* "insolence in demanding the "Consulship, etc. and that he "was recalled into *Italy* by "the report of *Brutus's* and "*Cassius's* edicts." He probably meant to say neither; at least the one is contrary to his own principles, the other to truth. Ep. ad Att. xvi. 7. Non ignoras, quam sint incerti animi hominum et infecti partibus, et

exitus proeliorum. Ep. ad Brut. i. 14. He meant to be construed only,—*incerti exitus* proeliorum,—*Ciceronem meum*,—ut spero, videbo. *Tecum enim illum et te* in Italiam—venturum confido. Ib. 12. The Dr. drops the words, *et te*, as he well might; but, considering the author's size, we may perhaps more probably restore them in another place. *Ciceronem meum* ne dimittas, *tecumque adducas*. Ep. 14. Edit. Junt.—*tecumque deducas*. Ms. Balliol.—*tecumque ducas*. Fort.—*tecumque et te ducas*. The instances of labour, trivial exactness, and heavy, but unmeaning periods, are almost innumerable.—*Quaesivitque quidnam mihi videretur*: arcessemusne te atque id tibi conducere putaremus, an tardare et commorari te melius esset. Respondi id quod sentiebam, et dignitati et existimationi tuae maxime conducere—Ep. 18. Is mihi visus est suspicari,—aliquid a suis, vel per suos potius inimicos ad te esse delatum;—Si quis secus ad te de eo scripsit, aut si coram locutus est;—Ep. 1. Si, aut quo die dixi sententiam, perfecta essent, et non in diem ex die dilata, aut quo ex tempore suscepta sunt ut agerentur, non tardata et procrastinata;—ii. 1.

scernibile

scernible in the Letters, than I declared it to be [u]. One instance deserves more particular distinction, as it seems to be the last effort of sophistic skill,

[u] Sed *salutaris* *severitas* *vincit* *inanem speciem clementiae*. Ep. i. 2.—This is a little varied from a noted passage of the *true Cicero*, mentioned by *Ammian. Marcellinus*. Agebat autem haec, *Tullianum* illud advertens, quod *salutaris* *vigor* *vincit* *inanem speciem clementiae*. *Rer. gest.* l. 29. c. 5.

Hujus belli fortuna, *ut in secundis fluxa*; *ut in adversis bona*. Ep. ad Brut. i. 10.—Ita sunt res nostrae, *ut in secundis fluxae*; *ut in adversis bonae*. Ad Att. iv. 1.

Nostrae res *meliore loco* videbantur. Ad Brut. i. 3.—Puto rem *meliore loco* esse debere. Ad Att. xiv. 17.

Triduo vero aut *quadriduo* ante hanc rem pulcherrimam—Ad Brut. ib.—Cum—hoc *triduo vel quadriduo* tristis a *Mutina* fama manaret; *Phil.* xiv. 6.

Concurfus est ad me *factus*.—*Popularem* me esse in *populi salute* praeclarum est. Ep. ad Brut. ib.—Ad nos *concurritur*: *factique* jam in re *salutari* *populares* sumus. *Fam.* xii. 4.

Municipem *Suessanum*—tibi commendo, *frugi* hominem, et, *si quid* ad rem pertinet, etiam *locupletem*. Ad Brut. ib. 8.—Longe princeps *municipii* *Lucensis*,—*bonus* plane *vir*,—tum etiam *fortuna*, *si quid* hoc ad rem pertinet, ornatus. *Fam.* xiii. 13.

Dolebam in eam me urbem ire, quam tu fugeres, qui eam *liberavisses*. Ad Brut. ib. 10. Te

vidi Veliae.—*Cedebas* enim, Brute, *cedebas*, Ep. 15.—Eundem *vidi* postea *Veliae cedentem* *Italia*.—*Cedere* e patria *servatorem* ejus!—ut me *puderet*—in eam urbem redire, ex qua illi *abirent*. *Phil.* x. 4.

In medio *Achaico cursu*, cum *Etesiarum* diebus *auster* me in *Italiam*, quasi *dissuasor* mei *consilii*, *retulisset*;—Ep. ad Brut. ib. 15.—Cum me *Etesiae*, quasi *boni cives*, *relinquentem* *Rempublicam* *prosequi* noluerunt: *austerque*—me—*Rhegium* *retulit*. *Fam.* xii. 25.—Cur ego ex *ipso cursu* tam subito *revertissem*. *Phil.* ii. 30.

Decrevi etiam *imperium*, quod *quaque* videbatur illi *aetati* *honorificum*, tamen erat *exercitum habenti* *necessarium*. Quid enim est *sine imperio exercitus*? Ep. ad Brut. ib. 15.—Qui potest fieri, ut *sine imperio teneatur exercitus*? *Phil.* xi. 8. Qui *bonos*, *quaque* est *magnus* illa *aetate*, tamen ad *necessitatem* rerum *gerendarum*, non solum ad *dignitatem* valet. Ib. v. 16.

Illud valde *necessarium*,—te in *Italiam* cum *exercitu* venire *quamprimum*. Summa est *expectatio* tui: quod si *Italiam* attigeris, ad te *concurfus* fiet *omnium*. Si ve enim *vicerimus*,—tua nobis *auctoritate* opus est, ad collocandum *aliquem civitatis statum*: si ve etiam nunc *certamen* reliquum est, maxima spes est cum in *auctoritate*

exhibiting

exhibiting in one view most of its genuine and prime operations, affected ambiguity, falsified history, and mistaken imitation. “When *D. Brutus*,” says our *Cicero*, “was delivered from the siege, “and that most joyous day had arisen to the city, “which happened also to be his birth-day; I decreed, that his name should be ascribed to that “day in the *Fasti*, or public *Kalendars* [*x*].” First, who would not hence collect, “that the day, in “which *D. Brutus* was delivered from the siege, “happened likewise to be his birth-day [*y*]?” Yet the Sophist either did not mean this, or was grossly mistaken; for the day, in which the news of

tua, tum in exercitus tui viribus.—Pulcherrime viceramus, nisi Lepidus perdere omnia—concupivisset. Ep. ad Brut. ib. 15.—Optamus, ut quamprimum te in Italia videamus.—Persuasum erat civitati,—te—in Italiam venire cum exercitu.—Remp. nos habere arbitrabimur, si vos habebimus.—Quod si —victis hostibus nostris veneritis, tamen auctoritate vestra Resp. exsurget, et in aliquo statu tolerabili consistet:—sin quid forte titubatum,—exercitu tuo niteremur.—Praeclare viceramus, nisi—Lepidus recepisset Antonium. Fam. xii. 10.

Consulum—desiderabam—celeritatem, qua si essent usi, jampridem Remp. recuperavisset.—Omnia quae severe decreta sunt hoc tumultu, si,—quo die dixi sententiam, perfecta essent, et non in diem ex die dilata,—bellum jam nullum haberemus.—Non enim ignoras, quanta momenta sint in Rep. temporum. Ad Brut. ii. 1.

Celeritate—opus est, qua si essemus usi, bellum—nullum haberemus.—Quo die,—cum def. Consules non adessent,—si ex eo tempore dies nullus intermissus esset, bellum profecto nullum haberemus.—Tumultum censo decerni.—Minimis momenti maxime inclinationes temporum fiunt. Phil. v. 10, 11, 12, in fine.

[*x*] Ego enim, D. Bruto liberato, cum laetissimus ille civitati dies illuxisset, idemque casu Bruti natalis esset; decrevi ut in fastis ad eum diem Bruti nomen adscriberetur. Ep. ad Brut. i. 15.

[*y*] Decrevi, ut in fastis ad eum diem, quo victus esset ad Mutinam Antonius, Bruti nomen adscriberetur. Manut. in loc. “When *D. Brutus* “was delivered from the siege, “a day of all others the most “joyous to the city, and which “happened also to be his “birth-day; etc.” *Mid. Ep. of Cic. p. 153.*

D. Brutus's

D. Brutus's deliverance arrived at *Rome*, happened to be his birth-day, that is, the *sixth* or a still more distant day after he was actually delivered from the siege [z]. This perhaps was the very reason, why the Sophist wrapt his description in such a poetical disguise; "when *D. Brutus* was delivered, and that most joyous day had arisen to the city, which happened to be his birth day." Secondly, was then the day, in which the news arrived, and which happened to be *D. Brutus's* birth-day, distinguished in the *Kalendars*; not the day, in which the deliverance was actually obtained? Again, the fact of ascribing *D. Brutus's* name to the one day or the other carries strong resemblance of forgery: for the *true Cicero*, where he acquaints *D. Brutus* himself with the circumstance of the news arriving upon his birth day, mentions not one syllable of a decree for canonizing his name in the *Kalendars*. But was then the *simple name* of *D. Brutus* ascribed to any day in the *Kalendars*? The Sophist here again betrays a consciousness of more *modern* practice, and therefore resolves to give us an example sufficiently remote; *the woman Larentia*, of whose history the old writers give various accounts; the common tradition being, that she was *Romulus's* nurse [a]. He might however have

[z] Nam die tuo natali victoria nuntiata, in multa saecula videbamus Remp. liberatam. Ep. Fam. xi. 14.

[a] Mid. Ep. of Cic. p. 161. not. 19. In eoque sum majorum exemplum secutus, qui hunc honorem mulieri Larentiae tribuerunt, cui vos Pontifi-

ces ad aram in Velabro facere soletis. Ep. ad Brut. i. 15. Larentiae—plerumque Pontifices in Velabro, ubi Larentiae ara et statua erat, sacrum anniversarium facere solebant. Alex. ab Alex. Genial. dier. l. i. c. 26. Alexander might properly make the relation; but

learnt from an example, which was probably before his eyes, that the *action* or *event*, not the *simple name* of the actor, was usually recorded in the *Fasti*, or the *Kalendars*, about the *Ciceronian* times [b]. Lastly, though *Cicero* barely decreed, that the name of *D. Brutus* should be ascribed to his birth-day in the *Kalendars*; yet his view in making the decree was, “That a *perpetual memorial* of the most acceptable victory should be *known*, or extant in the *Fasti* ;” or, as he expresses himself within a few lines; “That there should be *extant perpetual monuments* of the public hatred to their most cruel enemies [c].” Whence it appears, that the word *memoria*, in the former passage, was used by the Sophist in the signification of a *monument* or *record*; to which he might be led by ignorantly imitating the *true Cicero*, and by the current acceptance of the word in the following ages [d].

it is strange, that the Sophist should think it necessary to inform *Brutus* of *Larentia's* canonization, and the rites, which *Brutus* himself was used to perform to her.

[b] At enim *adscribi* jussit in *fastis*,—“C. Caesari, Dictatori perpetuo M. Antonium Cof. populi jussu regnum detulisse, Caesarem uti noluisse.” Phil. ii. 34. Ἐισὶ δ’ οἱ καὶ λέγουσιν αὐτὸν εἰσηγήσασθαι τὴν ἡμέραν θέσθαι τῇ πόλει γενέθλιον. Appian. De bell. civ. p. 505.—Idusque Martias parricidium nominari. Suet. in Caes. in fine.

[c] *Notam* esse in *fastis* gratissimae victoriae *sempiternam memoriam* volebam.—*Extare*

enim volebam in crudelissimos hostes *monumenta* odii publici *sempiterna*. Ep. ad Brut. i. 15. Dr. M. here drops the word *memoriam*. *Manutius*, who found it in all his copies but one, says; Hic in duabus vocibus, *sempiternam memoriam*, me quoque haecenus, ut ingenue fatear, cum ceteris, νεφέλη ἐκάλυψε μέλαινα.

[d] An illa non gravissimis ignominiiis *monumentisque* hujus ordinis ad posteritatis *memoriam* sunt notanda? Phil. v. 6. *Monumentum* quam amplissimum locandum—curent:—ut *extet* ad *memoriam* posteritatis *sempiternam*, ad scelus crudelissimorum hostium, militumque *divinam virtutem*. Ib. xiv. in fine.

Excep-

Except the Vindicator will give a better account of this passage, he should allow me to have taken the most effectual way of attacking the Letters upon the article of style; which, he says, is to produce some phrases of a later origine and use, than the age of Cicero [e]. There is still another phrase in these Letters, which, in like manner, is distinguished with all the marks of imitation, mistake, and impropriety together. Cicero tells us, in the same elaborate apology for himself, "That after the death of Cæsar and the memorable Ides of March, the instrument or register of the government, was carried down to Lepidus and Antony [f]." The Translator indeed thinks, that this was all the equipage of Kingly power, which was left still, not carried to Lepidus and Antony [g]; but perhaps we may best explain the copy by recurring to the original in Appian, who relates expressly, "that the very night after Cæsar was killed, his treasure and the records of the government were carried down to Antony's house; whether by Antony's command, or because Cæsar's wife was willing to deposite them with the Consul for

—Our Cicero, in the same Letter, has; Cum se nondum ne D. quidem Bruti divina virtus ita commovisset;—J. Marathus libertus etiam in memoriam ejus—tradit. Suet. in Aug. c. 79. Vid. Casaub. in loc. Etiam memoria nominis ejus erasa est. Lact. de mort. persec. c. 3. Longinus passes a censure upon Plato, for the quaintness of the thought in calling tables or books of public

record, which were made of Cypress, Cypress-memories. Τί καὶ ὁ τ' ἄλλα θεῖος Πλάτων; τὰς δέλτας δέλων εἰπεῖν, "Γράψαντες," φησὶν, "ἐν τοῖς ἱεροῖς διασθεσι κυπαρίσσινας μνήμας". De Sublim. § 4.

[e] Mid. Pref. Diff. p. 115.

[f] Post interitum Cæsaris, —instrumentum regni delatum ad Lepidum et Antonium. Ep. ad Brut. i. 15.

[g] Mid. Ep. of Cic. p. 149.

“ their better security [*b*].” The Sophist himself tells us with more exactness under *Brutus’s* name, “ that “ *Antony* in particular took the occasion of making “ himself a King, from receiving *Cæsar’s* legacy, “ the *instrument of the government* [*i*].” Now we may defend *Appian* by candidly supposing him to speak of *Cæsar’s* celebrated *acts* or *commentaries*, which gave *Antony* a fine occasion of exercising *Kingly government*, but his Transcriber seems to have had a farther view to the *rationarium imperii*, mentioned by *Suetonius*, which *Augustus*, when he was designing to *resign the government*, delivered to the Senate and the Magistrates, and actually left it a legacy to his Successors, carefully *sealed up*, and probably transcribed *with his own hand* [*k*]. The same Historian means a quite different thing by *instrumentum regium*, or *the equipage of Kingly power* [*l*]; and, in the life of one of his *latest Em-*

[*b*] Τῆς δ’ αὐτῆς νικτὸς καὶ τὰ χρηματὰ τῆς Καίσαρος καὶ τὰ ὑπομνηματὰ τῆς ἀρχῆς ἐς τὸν Ἀντώνιον μετακομίζετο, εἴτε τῆς γυναικὸς αὐτῆς τῆς Καίσαρος ἐξ ἐπικινδύνος τότε οἰκίας ἐς ἀκινδυνότεραν τὴν Ἀντωνίου μεταφέρουσης, εἴτε τῷ Ἀντωνίῳ κελύσσειλος. Appian. De bell. civ. p. 507.

[*i*] Quod si Antonius ab alio relictum regni instrumentum occasionem regnandi habuit:—Ep. Brut. i. 4. “ For if *Antony* took “ the *ensigns of Royalty*, left “ him by another;”—*Mid. Ep.* of *Cic.* p. 75. The Dr. does not explain, what these *ensigns of Royalty* were, which, being left to *Antony* by *Caesar*, gave the former the occasion of mak-

ing himself a King.

[*k*] De reddenda Rep. his cogitavit:—cum etiam Magistratibus ac Senatu domum accitis rationarium imperii tradidit. Suet. in Aug. c. 28. Testamentum—duobus codicibus, partim ipsius, partim libertorum—manu scriptum,—cum tribus signatis aequè voluminibus protulerunt.—Tertio [volumine] breviarium totius imperii, quantum militum sub signis ubique esset, quantum pecuniae in aerario et fisco, et vetigaliorum residuis. Ib. in fine.

[*l*] Cum et Alexandria capta nihil praeter unum myrrhinum calicem ex instrumento regio retinuerit. Ib. c. 71.

perors

perors, expressly calls the other *instrumentum imperii*; in allusion to which he relates, “ that T. “ *Vespasian* made an *instrumentum imperii* of the “ greatest beauty and antiquity, by restoring the “ three thousand brass-tables, which had perished “ in the burning of the Capitol, together with “ their inscriptions collected from a great variety “ of copies, and containing all the treaties between “ the *Romans* and their allies, almost from the first “ foundation of the city [*m*].” If we descend still lower; the *instrumentum plenariae securitatis* was written in the time of the Emperor *Justinian*, when the *Latin* tongue was *beginning* to degenerate into *Italic* [*n*]; and *instrumentum* is the general name of any *written deed* in the *Institutes* [*o*]; a book, which would suffer little by a comparison with our *Ciceronian Epistles*, in point of either good composition or purity of style.

Secondly, *Brutus*, we find, as well as *Cicero*, had used the word *instrumentum* in the singular signification of a *writing* or *record*; and there does not only appear to be an artificial collusion of these two Correspondents, with regard to the mention of historical facts; but “ their Letters of each book

[*m*] Aerearumque tabularum tria millia, quae simul conflatae graverant, restituenda suscepit, undique investigatis exemplaribus, instrumentum imperii pulcherrimum ac vetustissimum, quo continebantur paene ab exordio urbis Senatusconsulta, Plebiscita de societate et foedere ac privilegio cuicunque concessis. Ib. in *Vespasian*. c. 8.

[*n*] Instrumentum plenariae

securitatis An. 38. Justiniani Imp. scriptum—compositum est A. C. 564. qua aetate lingua Latina jam in Italicam desciscere incipiebat, ut notatum Salmasio, Observ. ad jus Attic. p. 174. Fabric. Bibl. Lat. v. 1. p. 190. not. 6.

[*o*] Si scriptum in *instrumento* fuerit. Instit. 1. 3. tit. 20. § 16.

“ respectively discover a general sameness of re-
 “ flection and sometimes *Ciceronian* imitation, and
 “ are drawn in a style and manner of colouring
 “ perfectly similar, even in impropriety, as evi-
 “ dently coming from the same hand, or else
 “ copied from the same original.” *Cicero*, in
 an apologetical Letter, which precedes the period
 of *Brutus*’s accusation, makes a declaration con-
 cerning himself; “ That he had not only rendered
 “ every thing to the Republic, which might be
 “ expected from the *man*, fidelity, diligence, a
 “ love of his country; but the *prudence*, which
 “ might be expected from the *principal Senator*
 [p].” *Brutus*, where he expresses his first appre-
 hensions concerning *Octavius*, puts *Cicero* in mind
 of his “ distinguished authority in the Senate, which
 “ ought to be maintained not only with integrity,
 “ but *prudence* [q].” If *Brutus* can observe upon
Cicero’s raising *Octavius* for the pulling down *An-*
tony, “ that the dread of future danger is of stronger
 “ operation than the memory of past [r]:” *Cicero*
 can return the compliment by observing, “ that

[p] Omnia, Brute, praestiti
 Reipublicae;—nec illa modo,
 quae nimirum sola ab homine
 sunt postulanda, *fidem, vigilan-*
tiam, patriae caritatem:—
 Ego autem ei, qui sententiam
 dicat in principibus de Repu-
 blica, puto etiam *prudentiam* esse
praestandam. Ep. ad Brut. ii. 1.
 —Nec solum *fidem* meam,
 quod fortasse videatur satis esse,
 sed in principe civi non est fa-
 tis, curam, *consilium, vigilan-*
tiamque praestabo. Phil. vii. 7.

[q] Nihil—*adversari evenire*
potest, in quo non cum *omnium*
culpa tum praecipue tua futura
 fit: cujus tantam auctoritatem
 Senatus—esse patitur:—
 quam tu non solum bene sen-
 tiendo, sed etiam *prudenter*
 tueri debes. Ep. Brut. i. 4.
Nullam calamitatem Resp. ac-
cipere possit sine culpa Senatus.
 Phil. ibid.

[r] At vide quam diligentius
 homines metuant, quem memi-
 nerint. Ep. Brut. i. 16.

“ people

“ people are more liberal in danger than grateful
 “ after success [s].” Their jealousies on both sides,
 in a series of many Letters, arise from the same re-
 flections upon “ the infirmity of *Octavius*’s age,
 “ the influence of evil counsels, the wantonness of
 “ power and the pursuits of false ambition [t].”
 Lastly, *Cicero* proves against *Brutus*, “ that *Lepi-*
 “ *dus*’s children should share their father’s punish-
 “ ment, from the practice of antiquity, of all ci-
 “ ties, and particularly the city of *Athens* [u].”
Brutus proves against *Cicero*, “ that *Octavius*
 “ should suffer the fate of the tyrant *Cæsar*, his
 “ father, from the constant usage of the cities of
 “ *Greece* [x].”

THOUGH *Brutus* contributes a very small num-
 ber of Letters to this collection, yet he could not
 intirely forbear imitating *Cicero*; whence he has
 happily enabled us, in some places, to revindicate
 his right reading, and discern his genuine sense
 [y]. He says to *Cicero*, with some little confusion

[s] Sed nescio quomodo facilius in timore benigni, quam in victoria grati reperimur. Ep. ad Brut. ib. 15.

[t] Flexibilis aetas, multique ad depravandum parati, — splendore falsi honoris objecto. Ibid. Ep. 18. Utinam — florentem et honoribus et gratia regere ac tenere possimus. Ep. 3. — Neque temeritatem pueri putet extimescendam esse. Ep. Brut. ib. 17. Quasi non liceat traduci ad mala consilia corruptum largitionibus animum. — Infinite tribuere potentibus, quae cupiditatem et arrogan-

tiam incendere possint. — Caesarem honoribus, quos acceperit, extraordinariis fore contentum. Ib. Ep. 4.

[u] Videtur illud esse crudele, quod ad liberos — poena pervenit. Sed id et antiquum est, et omnium civitatum: siquidem etiam Themistocli liberi eguerunt. Ep. ad Brut. i. 15.

[x] Cum in Graecis civitatibus liberi tyrannorum, oppressis illis, eodem supplicio afficiantur. Ep. Brut. Ib. 16.

[y] — Neque digniorem nominare potes quam Bibulum. De Domitio et Apuleio

of ideas indeed; “ I am afraid concerning the
 “ Consulship, lest your *Cæsar* should think himself
 “ raised so high by your decrees, that, if he is
 “ made Consul, he will not thence descend again
 “ into the condition of a private citizen [z].” The
 Translator by the help of a correction, makes him
 very argutely say; “ I am in pain about the Con-
 “ sulship: lest *Cæsar* should think himself raised
 “ higher already by your decrees, than it would
 “ be, from his present height, to be advanced still
 “ to a Consul.” But as *Brutus*’s pain about the
 Consulship in particular must rather abate in pro-
 portion to the smallness of the ascent from *Octa-
 vius*’s present height; so *Brutus* appears, from a pas-
 sage of the original *Cicero*, to be in pain about
 what *Octavius* would do when he was become
 actual Consul. *Cicero*, speaking of this same Con-
 sulship, “ Whereas, says he, some, who envy *Cæ-
 sar*, pretend to be afraid, lest being raised by

quid attinet me scribere?—
 Sed *Apuleius* in sua epistola ce-
 lebrabitur. Ep. Brut. i. 7. Dr.
Mid reads; Sed *Domitius* in sua
 epistola celebrabitur. P. 80. But
 he did not pay sufficient re-
 gard to a similar passage in
Cicero. Idem in M. Bruto fa-
 cere debetis, —adjungendus-
 que est Q. Hortensius. —Nam
 de M. *Apuleio* separatim censeo
 referendum. Phil. x. 11. O
 magnam stultitiam timoris, id
 ipsum, quod verearis, ita ca-
 vere, ut cum vitare fortasse po-
 tueris, ultro arcessas. Ep. Brut.
 ib. 17. Quod mihi praecepis,
 ut caveam, ne timendo magis

timere cogar, — sapienter —
 praecepis. Fam. xi. 21.

[z] Timeo de Consulatu, ne
Caesar tuus altius se adscendisse
 putet decretis tuis, quam inde,
 si Consul factus sit, descensu-
 rum. Ep. Brut. ib. 4. The
 Dr. here likewise changes *de-
 scensurum* into *adscensurum*, ob-
 serving that “ the common
 “ reading gives a turn quite fo-
 “ reign to *Brutus*’s meaning.”
 Ep. of *Cic.* p. 79. not. 5. But
Brutus had only mistaken in the
 disposition of his words, which
 is more naturally, —quam, si
 Consul factus sit, inde *descensu-
 rum*.

“ our

“ *our honours* he would not use them with moderation, but run riot in his power; there is no manner of ground for even a suspicion of that fort [a]”—*Brutus* again, with his usual awkwardness, says concerning *Cicero*; “ He may be ashamed of the condition of a Consular person, such as *Cicero’s* is, who is no farther *Consular than the very name* [b].” *Cicero* likewise observes to *Plancus*, “ that in the troublesome times of the state many have been *Consuls in name*, but no one was accounted *really Consular*, who did not manifest a disposition to consult the public good [c].”—*Brutus*, in another place, tells *Cicero* himself; “ That no body wondered at his acting against *Antony*, because such a Consul seemed of course to promise such a Consular [d]:” *Cassius Q.* tells him, in the *familiar Epistles*, “ that he the greatest Consular had out-done even himself the greatest Consul [e].”—We may farther take notice, that *Brutus* has derived a tincture of idiotism

[a] Nam quod ii, qui Caesari invident, simulant se timere, ne verendum quidem est, ut tenere se possit, ut moderari, ne honoribus nostris elatus intemperantius suis opibus utatur. Phil. v. 18.

[b] Pudeat concupiscere fortunam, cujus nomen susceperit, Consularis, ut Ciceronis est. Ep. Brut. i. 17. The Dr. reads; Pudeat concupiscere fortunam, cujus nomen susceperit. An Consularis hoc; an Ciceronis est? “ It is a shame for any one, to desire such a condition of life, as he has now taken upon

“ himself.”—This the Dr. takes to be most agreeable to *Brutus’s* style. Ep. of Cic. p. 105. not: 10.

[c] Complures in perturbatione Reip. Consules dicti, quorum nemo Consularis habitus, nisi qui animo extitit in Remp. consularis. Ep. Fam. x. 6.

[d] Resistere Antonio Ciceronem,—quia ille Consul hunc Consulare merito praestare videtur, nemo admiratur. Ep. Brut. i. 16.

[e] Maximus Consularis maximum Consulem te ipse viciisti. Ep. Fam. xii. 13.

in ambiguity and impropriety from the communication of his correspondent *Cicero*. The latter says, "That the cause of *Lepidus* could not be distinguished from *Antony*, i. e. *Antony's* cause [*f*]." The former says, "All other virtues are so eminent in you, that *they* may be compared with any person of the Antients, i. e. with the virtues of any person [*g*]."—*Cicero* makes mention of his receiving a Letter, of which it is difficult to know whether *Lentulus* was the Bearer or the Writer [*h*]: *Brutus* likewise receives a Letter, where it does not appear from the words, whether it was sent from *Satrius* and delivered by *Tullius* and *Deiotarus*, or the reverse; nor whether this *Deiotarus* was a King or a Servant [*i*].

YET the Vindicator declares, that my *objection of an identity of style* in the Letters depends upon my bare word; and with equal justice declares,

[*f*] Nullo enim modo poterat causa Lepidi distingui ab Antonio. Ep. ad Brut. i. 12. Dr. M. changes *Antonio* into *Antonii*. Ep. of Cic. p. 116.

[*g*] — Ut cum quolibet antiquorum comparari possint tuae virtutes. Ep. Brut. ib. 4. — "That you may be compared with any of the Antients." *Mid.* ib. p. 75.

[*h*] Literae mihi in Senatu redditae sunt a Lentulo nostro. Ep. ad Brut. ii. 2. "A Letter was delivered to me in the Senate from our *Lentulus*." *Mid.* ib. p. 19. This was the Letter-writer's meaning, but he rather says, that *Lentulus* was the Bearer of the Letter. Mihi — literae tuae sunt redditae, quas

dederas Demetrio. — Q. F. — literas misit, quae sunt — redditae. Ep. ad Att. xiv. 17.

[*i*] Ab Satrio — reddita est mihi epistola a Tullio et Deiotaro. Ep. Brut. i. 6. "A Letter was delivered to me by Satrius, — from Tullius and Deiotarus." *Mid.* Ep. of Cic. p. 85. But the Letter came from Satrius, and was delivered by Tullius and Deiotarus. For Satrius together with the advices of *Dolabella's* being routed sent his authority for this apocryphal news, a Greek Letter of one *Cythereus*. Graecam epistolam tibi misi Cytherei cujusdam ad Satrium missam.

that while I insisted upon this identity of style, I myself affirmed and endeavoured to prove the greatest difference [i. e. in style] between the Letters, that can be imagined, between any of the most different writers [k]. Now he himself accounts for this supposed identity of style and sentiment by observing, that it could not be thought strange, if, in a series of Letters between two great men of the same age and city, some similitude of expression or sentiment should happen to be found; notwithstanding all which, there might, upon the whole, be as great a difference, as can possibly be expected, from the different characters of the two writers; and it is, says he, this different spirit, so agreeable to the characters of the men, which makes the Letters themselves so much admired by all, who read them with any judgment or attention [l].

As then the contradiction charged upon me vanishes by his own account, so the identity of style and sentiment discernible in the Letters must be thought very strange in the true Cicero and Brutus, who studied a manner of writing as different as possible, and, after the warmest altercation on the subject of composition, each deaf to all conviction continued still to pursue his own manner. But as to the matter of the Letters, I do still assert, that Cicero's celebrated apology for himself betrays the wretched craft of the Sophist, that it is blundering, full of impertinence, and on these accounts only the most trifling and contemptible in the whole collection [m]. On the other hand, Brutus's famous

[k] Mid. Pref. Diff. p. 116,
17.

[l] Mid. Pref. Diff. p. 116.
[m] Ep. ad Brut. i. 15.

Letter to *Cicero*, being formed upon the plan of *Brutus's* genuine sentiments, as they are delivered by *Plutarch*, and turning wholly upon a subject, which must infuse eloquence into a mind capable of thinking at all, is deservedly *admired by all who have any sparks of liberty in them* [n]. When we have added to it the other famous Letter to *Atticus*, which is *really pretty* in the main, and animated, in like manner, with a *borrowed* spirit and the generous suggestions of a favourable cause [o]; we shall have given the sum total of the Letters *admired by all, who read them with any judgment or attention*. The composition-part of these two Letters, especially the former, is the Sophist's Master-piece indeed; but sometimes low in expression, too declamatory and full of defiance for real life, and too artificially trimmed up for a man of business. In all the remaining Letters of the *first* book it is generally upon a level, but eminently above, and sometimes in appearance imitated in the Letters of the *second* book. These again discover little inequality, except the *last* Letter, which together with the Epistle to *Octavius* carries very discernible marks of the work of some boy. Upon the whole I conclude,

XXXVI. THAT the *suspected* Letters, under *Cicero's* name, discover many blemishes in reasoning, sentiment, and style, and are intirely void of the beauties and resemblance of the *Ciceronian* character, though they contain many expressions, which were apparently copied from *Cicero's* genuine works: —And that the Letters of both parties in each

[n] Ep. Brut. i. 16.

[o] Ep. Brut. ib. 17.

book are respectively similar, sometimes in faultiness and imitation, and generally in their being unsuitable to the circumstance and occasion, and in their wanting the natural ease, spirit, strength, and elegance of good composition.

I CAN hardly doubt, but a great part of this conclusion will be readily admitted by any one, who will engage in the task of comparing these Letters with the Letters of *Cicero's* genuine correspondence, as they are both represented, with equal advantage, in some late celebrated translations; much less can I question the success of the whole conclusion among those, who read them together in the original *with judgment and attention*. But now the *suspected* Letters, which deserve any attention or regard, happening to appear under *Brutus's* name; the Vindicator, *as far as* he is able to judge from the style and matter of the whole collection, *takes it to be in all points truly* Cicero-nian, and declares *it not credible, that in the ages immediately following the time of Plutarch a Sophist should be found so perfect a master of Cicero's style and of the purest taste of writing, as to be capable of such a forgery* [p]. If the Letters, says he, *had been forged after the time of Plutarch, we should certainly find in them some phrases of a later origine and use than the age of Cicero, on account of the remarkable change which the Latin tongue had undergone in that interval, in which many new words were introduced and the whole turn and fashion of writing quite altered; as every one may readily observe in all the best writers of the inter-*

[p] *Mid. Pref. Diss.* p. 13, 14.

mediate ages between Cicero and Plutarch [q]. Nay, from the time even of Augustus we see so remarkable an alteration and gradual declension of language, as could hardly have failed of being distinguished, in a series of many [a few] Letters, from the flowing periods of Cicero [r].—All this plausible harangue on the remarkable alteration and gradual declension of language from the time even of Augustus, and on the alteration of the whole turn and fashion of writing AFTER THE TIME OF PLUTARCH, as every one may observe in all the best writers of the intermediate ages between CICERO AND PLUTARCH; is either quite impertinent or palpably insufficient for the purpose of demonstrating the impossibility of a forgery in that whole interval. For if “ the “ Author of the Letters in question was a perfect “ master of Cicero’s style and of the purest taste “ of writing, and the Letters themselves were “ in all points of matter and style truly Cicero- “ nian ;” I myself should be as ready as the Vindicator to think it hardly possible, that they should have been written by any body else than Cicero, even in the age of Cicero himself. But if, on the other hand, the mere supposition of “ the Letters “ being truly Ciceronian in all points of matter “ and style,” is now found to be absolutely false ; then they might be forged in any part of that interval, notwithstanding all the gradual declension of language and alteration of the whole turn and fashion of writing, from the genuine purity and best taste of writing, which almost universally prevailed in

[q] *Mid. Pref. Diff.* p. 115. [r] *lb.* p. 15.

Cicero's age. And that a *supposition*, laid down upon the unsupported, but violent and many-times-repeated asseveration of a zealous Advocate, should be made the grand basis of a controversy with me, who could see nothing *Ciceronian* in the Letters, but some crude imitations of Cicero's Orations and Epistles, and had thence taken the very first occasion of suspecting their genuineness; may display his agonistic qualifications to the public admiration, but at the same time expose the futility of his defence.

BUT the most material part of this complicated demonstration not only subsists upon a false supposition, but is evidently fallacious in its conclusion too. *If the Letters*, says he, *as our Critic contends, had been forged after the time of Plutarch, we should certainly find in them some instances of phrases of a later origine and use than the age of Cicero, on account of the remarkable change which the Latin tongue had undergone in that interval, in which many words were introduced unknown to the Ciceronian age.* Is he then so little acquainted with the very first principles of just Criticism as not to know, that since in *a series of a few Letters* there are instances found of *phrases* of a later origine, and even of *words* of a later use than the age of Cicero; this will prove them to be *spurious*: but if there were no such Instances at all to be found in them; this would not prove them to be *genuine*? For why could not a Sophist, whose principal ambition in attempting a forgery is *to put a cheat upon the world and to impose upon the ablest critics* [s],

[s] *Mid. Pref. Diff.* p. 13.

be capable of guarding *the most effectual way of attacking* and detecting his forgery *on the article of style* [t]? And might not he with as moderate a degree of circumspection avoid using the word *instrumentum* in the more modern signification of a *record* or *deed in writing*, as avoid speaking of the *instrumentum imperii*, under the names of both *Cicero* and *Brutus*, when the *thing itself* was of later origine and use than the age of *Cicero*? In the same manner all true *Critics* argue concerning *historical facts* as well as *words* and *phrases* of later origine and use than the ages of those persons, who are made the actors in any sophistic drama pretending to remote antiquity. For if these actors mention facts of later existence and practice than their own age; this will evince the falsity: but if they mention facts of the same or preceding ages only; this will not evince the reality of its pretensions. Indeed it is matter of deeper contrivance and more masterly execution to observe an exact decorum in the management of facts, than in the bare use of phrases and words; and therefore the *puerile* Author of the Epistle to *Octavius*, which is a mere *declamation*, has succeeded to admiration in the purity of his language; though the rawness of his youth rendered him incapable of the same judicious conduct in discerning the intricacies of chronology and digesting the regular order of events. For besides the anachronism already taken notice of, with regard to *Octavius's* age when he marched to relieve *D. Brutus* at the siege of *Modena*; the fact of *M. Antony's* being adjudged

[t] *Mid. Pref. Diff.* p. 115.

an enemy to the State is placed about the beginning of that march, that is, more than *three months* before the fact really happened; *Cicero* never being able to carry the vote for declaring *Antony* an enemy before the battle of *Modena*, and even proposing it in his *last Philippic*, where he decreed a *Supplication* for the victory obtained there [u]. It is possible, that our young adventurer might transcribe his error from *Appian*, who lived after *Plutarch* and had given a minute description of the solemnities, with which the Senate decreed *Antony* an enemy about the same period before the battle of *Modena* [x]. Now this Epistle equals in extent the longest of our *suspected Letters*, and though the Vindicator is puzzled to find in it a single sentiment or a single word that shines, and pro-

[u] Cogita enim Antonium hostem judicatum, ab eo circumfessum Consulem designatum,—te profectum ad Consulem liberandum et hostem opprimendum, hostemque a te fugatum. Ep. ad Octav. Si hostium fuit ille sanguis, summa militum pietas: nefarium scelus, si civium. Quousque igitur is, qui omnes hostes scelere superavit, nomine hostis carebit. Phil. xiv. 3. Ut aliquando sententia complectar, ita cenfeo. Cum C. Panfa—initium cum hostibus confligendi fecerit, etc. Ibid. in fine.

[x] Appian. De bell. civ. p. 567. There seems in this Epistle to be an imitation of *Suetonius*. An esse quendam annos xvii natum, cujus avus fuerit

argentarius, ad stipulator pater, uterque vero precarium quaesitum fecerit:—Ep. ad Octav. M. Antonius libertinum ei [Augusto] proavum exprobrat restionem,—avum argentarium.—C. Octavius pater—et re et existimatione magna fuit: ut equidem mirer, hunc quoque a nonnullis argentarium, atque etiam inter divisores operasque campestres, proditum. Suet. in Aug. c. 3. Qui patrem Octavii argentarium fuisse dixerit, neminem e veteribus reperias, praeter auctorem versiculi, qui infra habetur, Pater argentarius, ego Corinthiarius. Describitur in Epistola ad Octavium, non Ciceronis quidem, sed vetere tamen. Casaub. in loc. V. Suet. ib. c. 70.

nounces it *void of all beauty either of style or sense* [y]; yet he will be more puzzled to find in it, or at least, in mercy to his Letters, he will be ashamed to acknowledge a *single phrase or word of a later origine and use than the age of Cicero*. And as *Octavius's Ciceronian* correspondent is not inferior to *Brutus's* in the chasteness of his expression, so, as far as I am able to judge, I take him to be like him in complexion of sentiment, and even to exceed him in figurative imbellishment and the beauties of *antithesis* [z].

[y] *Mid. Pref. Diff. p. 121.*

[z] *Nec tamen tantum in statuenda Lepidi statua factum est mali, quantum in evertenda boni. Ep. ad Brut. i. 15. Non quo ulla sit optanda servitus, sed quia dignitate domini minus turpis est fortuna servi. In duobus autem malis cum fugiendum majus fit, levius est eligendum. Ep. ad Octav.*

—*Precariam nos incolumitatem habere, a quibus ipse libertatem accepisset.*—Nisi forte non de *servitute*, sed de *conditione serviendi* recusatum est a nobis. Atqui non solum *bono domino* potuimus *Antonio* tolerare nostram fortunam, sed etiam *beneficiis* atque *honoribus*, ut participes, frui quantis velle-mus. *Ep. Brut. i. 16.*—*Utinam te potius, Antoni, dominum non expulsemus, quam hunc reciperemus!*—Ille tamen ea *exorabat*, quae volebat auferre: tu extorques.—*Si qui dabat provincias Cassio et Brutis, et illis custodibus nostri nominis, regnabat, quid fa-*

ciet, qui vitam adimit? *Ep. ad Octav.*

Consilia inire coepi Brutina plane (vestri enim haec sunt propria sanguinis) Reipublicae liberandae. Ep. ad Brut. i. 15.—*Audiet Brutus eum populum, quem ipse primo, post progenies ejus a regibus liberavit,*—*Ep. ad Octav.*

Si—*eadem poena sequitur cives, qui potuimus leniores esse in hostes?* *Ep. ad Brut. i. 15.* *Sic sentit Senatus,*—*nullos unquam hostes digniores omni supplicio fuisse, quam eos cives. Ep. 3.* *Inique facis, qui hostilis animi in Remp. homines, cives appelles. Ep. Brut. 4.*—*Cur hostis relinquitur; civis hostis loco ponitur?*—*Audient duo Decii servire eos cives, qui ut hostibus imperarent, victoriae se devoverunt. Ep. ad Octav.*

Tantam auctoritatem Senatus esse patitur,—*quanta maxima in libera civitate unius esse potest. Ep. Brut. i. 4.*—*Concupierat magis regium,*

THIS

THIS very instance may be enough to shew, what little stress is to be laid on *the change which the Latin tongue had undergone in Plutarch's and the following ages, by the introduction of many words and phrases unknown to the Ciceronian.* For a Sophist, who was well provided with the monuments of the *purest taste of writing*, might emerge out of the prevailing adulterations of style and refine himself to a degree of the *Ciceronian purity*; though scarce any man in the world, I believe, did ever, by the imitation of *Cicero*, make himself a *perfect master of his manner and style.* An Author, who personates the great Heroes of the purest antiquity, is by the very proposition of his undertaking obliged to conform himself, as far as he is able, to their manners of *speaking* and acting; but an Author in real life could not deviate from the prevailing *turn and fashion of writing*, without the odium of an unpopular affectation, and the obloquy of those, who go the readier road to fame by writing for a vitiated taste. This is not observed, as if there were really no such Authors in the ages after *Plutarch*, who became distinguished from the common herd, and even raised themselves to a pitch of almost *Augustean* elegance and purity.

quam libera civitas pati poterat, principatum. Ep. ad Octav.

Fungerer officio, quo tu functus es in meo luctu, teque per literas consolarer, nisi scirem his remediis, quibus meum dolorem tu levasses, te in tuo non egere: ac velim facilius, quam tunc mihi, nunc tibi tute medeare, etc. Ep. ad Brut. i. 9. — Ille — ea exorabat,

quae volebat auferre: tu extorques. Ille Consul provinciam petebat: tu privatus concupisti. Ille ad malorum salutem judicia constituebat, et leges ferebat: tu ad perniciem optimorum. Ille a sanguine et incendio fervorum Capitolium tuebatur: tu cruore et flamma cuncta delere vis. Ep. ad Octav.

Lactantius was living so late as *A. D.* 320, that is, two centuries after the time in which *Plutarch* flourished. He was a diligent reader of the writings and professed confuter of the opinions of *Cicero*. He wrote eight books of Epistles, and, in great measure, derived into his own compositions the purity of *Cicero*'s language, and, what is more, the flowing exuberance of his periods [*a*]. He was likewise a teacher of eloquence and the liberal arts, and would, no doubt, endeavour to propagate his own taste of writing among his young disciples: and we have already mentioned the *Titians*, the Father and Son, eminent Professors in the preceding ages, who strenuously asserted the *antient*, or, as it was ignorantly nicknamed, the *spiritless* and *insipid* simplicity [*b*], in opposition to the introduction of *new words* and *pompous phrases*, and to the *alteration of the whole turn and fashion of writing*. It is easy to instance in numerous Historians, Naturalists, and Grammarians, who lived in the interval between the ages of *Tiberius* and *Theodosius* the Great, and yet fell short of a perfectly classical purity, not because they were not able to attain to it, but because they would not affect it. And if we look into the *Roman Digest*, and consult those venerable oracles of the old Law *Salvius Julianus*, the great *Cerbidius Scævola*, and *Julius Paulus* of the respective periods, *A. C.* 120, 170, 230 ;

[*a*] Hieron. Catalog. c. 80. Ed. Fabric. *Lactantius* quasi quidam fluvijs eloquentiae Tullianae. Ib. Ep. 49. ad Paulin. Ed. Benedict.

teri quique Frontonianorum, utpote confectaneum aemulati, cur *veterinosum* dicendi genus imitaretur, oratorum simiam nuncupaverunt. Sidon. Ep. 1.

[*b*] Illum [Titianum] cae-

they

they discover such a neatness of turn and nervous conciseness, such an elegance of thought and flowing ease and propriety of language; as might be expected from *Scævola*, the rigid conductor of *Cicero's* early youth; from *Trebatius*, the chearful companion of his sprightly life; or from *Sulpicius*, the prudent solacer of his private affliction, and the like timorous and unsteady fellow-sufferer with him in the public misfortunes.

BUT what if *the purity of the Latin tongue was lost in the time of Plutarch [c], after which time, I contended, the Letters were forged?* Does not the Vindicator himself say, that *about the time of the Reformation, when the Latin tongue was become a dead language, the men of taste were so nice and fastidious as to allow nothing to be classical, that was not drawn from Cicero's works [d]?* And did not *Cicero* himself write *Letters* and a *book* concerning his *Consulate in Greek*, at a time when many *new words and phrases* were introduced into that language and the *whole turn and fashion of writing* changed; and yet attain to the *purest taste of writing* in so great a degree, as not only to outdo *Atticus*, who had been perfectly brought up at *Athens*, but even to confound the *Greeks* themselves, and to discourage the great *Posidonius* from attempting the same subject after him [e]? But our sagacious

[c] *Mid. Pref. Diff.* p. 13.

[d] *Ib.* p. 15.

[e] *Plut. in Cic.* p. 873. Tuus puer—mihi literas abs te, et commentarium Consulat-
tus mei Graece scriptum reddi-
dit: in quo laetatus sum, ali-
quanto ante de iisdem rebus

Graece item scriptum librum
L. Cossinio ad te perferendum
dedisse. — Quamquam tua illa
—horridula mihi atque in-
compta visa sunt. — Meus au-
tem liber totum Isocrati *μυρο-
δύκτιον*, atque omnis ejus disci-
pulorum arculas, ac nonnihil

Disputant does not see, that the common standard and use of language in any age whatsoever can be no proper measure of the abilities of particulars, who can recur to the monuments of the same language in its greatest purity and perfection, as their fancies and opportunities lead them: And, what is still more strange, he does not see, that if *the purity of the Latin tongue was lost as early as Plutarch's time*; though some lurking Student might be able to execute the forgery of the Letters, by a proper application to *Cicero's* works; yet his composition, however bungled and *Unciceronian*, would almost necessarily fail of being distinguished, in a series of a few Letters, from the flowing periods of Cicero.

XXXVIII. THE Vindicator demonstrates the impossibility of a forgery, after the age of *Plutarch*, upon a supposition, which is false and begs the question; and by an argument, which either proves nothing, or proves directly against himself. He supposes, without proof and against proof, that the Letters are in all points of matter and style truly *Ciceronian*, that is, he supposes, that the Letters are *Cicero's*. He argues, from the loss of the purity of *Latin* and from the change of the whole turn of writing in *Plutarch's* time, that the Letters, if a forgery, must contain words and phrases of a later origine and use than *Cicero's* age; which does

etiam Aristotelia pigmenta consumpsit. — Quamquam ad me rescripsit jam Rhodo Posidonius, se nostrum illum ὑπόμνημα cum legeret, quod ego ad eum, ut ornatus de iisdem rebus scri-

beret, miseram, non modo excitatum esse ad scribendum, sed etiam plane perterritum. Quid quaeris? Conturbavi Graecam nationem. Ep. ad Att. ii. 1.

not

not follow in the nature of the thing, and is moreover contrary to evident fact: but it does follow from the same argument, that the composition of the Letters, if forged, would not easily be distinguished from the flowing periods of *Cicero*.

HENCE while we maintain the possibility of a forgery in any age whatsoever from *Plutarch* to *Petrarch*, we are enabled to assert at the same time, what the *Vindicator* tells us *cannot be*, that *the glory of atchieving the attempt to detect the forgery might be reserved, after so many ages, to an adventurer, in the noviciate of his Criticism, and the very first essay of his skill* [f]. The tendency of all that I have said on this subject is to prove, that the atchievement might be effected without any *veteran* expertness or distinguished abilities in the science of *Criticism*; but it was *reserved* to be effected *after so many ages*, because as long as the purity of the *Latin* tongue *subsisted*, the Letters were not *in being*; when that purity was *lost*, they were either not read at all, or read without *discernment*; but since *the revival of Letters*, they were *made use of* on course, for the mechanic, but very useful, business of compiling systems of History or Chronology, *without intimating, or perhaps without conceiving the least scruple about them* [g]. The antiquity of *one* of the Letters may appear to be as early as *Nonius's* time; the more *antient eighteen* were retrieved by *Petrarch* from a *long oblivion*; and the other *six or seven, rather fragments than intire Letters*, made their first appearance in *Germany*

[f] *Mid. Pref. Diff.* p. 123.

[g] *Ib.* p. 2.

near two centuries afterwards. The last did not meet with general approbation, and had little respect paid them in the more antient Editions; the former were universally received as the unquestionable remains of *Cicero* in common with the Epistle to *Octavius* till after the time of *Erasmus*, and in common with the Invektive against *Sallust* till the time of *Victorius*; and somewhat resemble them in their singular paucity of various *Lections* of any moment, and in their being neglected by Commentators of character, and, except the two Letters of *Brutus*, by Translators of judgment ever since.

BUT however I may succeed in the attempt to prove the Letters *spurious*, I sincerely wish them a more able Champion than has yet appeared, if they are really *genuine*. For as it is seen upon the whole result of our debate, that not one of the *numerous objections*, which I produced against them, is *either grounded on mistake, or misapplication of the testimonies alledged to confirm it*; so I have no inclination to be *deprived*, much less to deprive others, of a valuable *remnant* of *Cicero's* Epistles. On the contrary, if the Vindicator, by way of experiment, will engage in the *bold attempt* of finding or making so many *objections* against the whole collection of *Cicero's* Epistles, which have never yet been *attacked*; I am not discouraged, by any specimen hitherto given us of his *Ciceronian* erudition, from promising to the Public, that I will readily enter on the more agreeable task of ascertaining their genuine character, and purest antiquity. It was from the just admiration of these
inimitable

inimitable models of the perfect Epistolary manner, and inestimable treasures of *Ciceronian* history and literature, that I was induced to retrieve their original readings, and assert their genuine sense against the corruptions or false interpretations of them, which were made the foundation of many important relations and conclusions in the late *History of the Life of Cicero*: and since my *Latin Epistle*, thus limited for the most part in the quality of its matter, could extend itself to no inconsiderable magnitude; it is agreed on both sides, that every intelligent Reader may judge from this *sketch* of its uniform character, whether it is a *frivolous, captious, and disingenuous piece of Criticism* [b]. After all; it must needs be surprizing, that a mere *piece of Criticism* upon the more obscure and depraved passages of *Cicero's* genuine Epistles, professedly designed to introduce a Proposal of a new Edition of the Epistles to *Atticus* and his Brother *Quintus* [i], and candidly removed from the inspection of the most zealous admirers of the *English Life*, could meet with such an effeminate resentment from one, who generously *proposed*, as the *end* of all his *pains*, to *raise a greater attention to the name and writings of*

[b] *Mid. Pref. Diff. p. 124.*

[i] Cum M. Tullii Ciceronis *Epistolarum ad Atticum, Quintum Fratrem, &c.* Editionem novam parare identidem cogitasset; — commendatius inde institutum illud nostrum fore arbitrabar, si per earum Epistolarum scripturam depravatam, rerumque etiam ipsarum obscuritatem, Te vel minus recta quaedam pro certis venditasse,

vel recta nonnunquam perperam intellexisse constaret. *Epist. ad C. Middlet. p. 1.* — “The
“ rest was written by him as
“ he professes, with a view of raising some reputation to himself, by exposing the faults
“ of a work, which has been
“ received with approbation by
“ the Public.” *Mid. Pref. Diff. p. 124.*

Cicero,

Cicero, *and to make them better understood and more familiar to our youth* [k]. As I pretended to the honour of concurring with him in the pursuit of the same laudable *end*, so a free communication of the fruits of our inquiries seemed to be the most effectual means of obtaining it; and I should have esteemed myself greatly obliged to him, if he had used the same ingenuous liberty in pointing out my particular mistakes, and therefore enabled me to make my intended Edition more perfect or useful to the Public. But the spirit and success of this maturest production of his *critical* skill leave little room to doubt, whether it was owing to his charity or to his prudence, that he did not find *a proper occasion of entering upon that task* [l].

[k] Pref. to Life of *Cic.* p. xxxii. [l] Pref. Diff. p. 124.

F I N I S.

A
L E T T E R

FROM

Dr. *C H A P M A N*

ON THE

Antient *Numeral* Characters
of the ROMAN LEGIONS.

R. R. L. J. F.

W. W. W. W. W.

A
L E T T E R
F R O M
Dr. C H A P M A N
O N T H E
Antient *Numeral* Characters
of the ROMAN LEGIONS.

Dear Sir,

Lambeth, April 19, 1743.

———As to my Opinion in this point, the notion which Dr. M. advances about the old way of *raising* and *denominating* Legions among the *Romans*, appears to me not only *singular*, but plainly *erroneous* in *his extent* of it. “ He takes it, he
“ says, to be a *certain fact*, (though others may
“ not know it) that the *Roman Generals*, when they
“ had occasion to raise *new* Legions in *distant* Parts
“ of the Empire, used to *name* them according to
“ the *Order*, in which they *themselves raised* them,
“ without regard to *any other* Legions whatso-
“ ever

“ ever [a]!” But now I take this to be really so far from being *certain fact*, that I could venture to pronounce it a *fiction*, as to those *early Times*, and especially with respect to Legions like those of *Brutus*, whose Officer acted by the *Senate’s* authority, and professedly for the service of the old *Republic*, and where the *new* Legions are supposed to take the *names* of *veteran* Legions, which were still *subsisting* under *Arms*. Indeed during the hurry and confusion of the civil Wars under *Julius Cæsar*, I have met with something in *two* or *three* instances, which may look like such a practice among the Generals, as the Doctor intimates, and perhaps in the times now before us and a few years afterwards, other cases might be *plausibly* alledged to the same purpose. But the *certain fact*, which Dr. M. speaks of, would not be very *easily proved* in those *seeming* Instances; and as to the conduct of other Generals, in the circumstances mentioned above, I am pretty confident not a single instance can be given of their *naming* any *new* Legions in the manner that Dr. M. imagines, from the very foundation of *Rome* to the day when *M. Brutus* was acting against *Antony*. This being a point of some moment in *Roman Antiquities*, and one which the best modern writers, as far as I have ever seen, have touched but very slightly, not excepting even *Carolus D’Aquino* in his curious *Military Lexicon*, it may not perhaps be unacceptable, if I dwell upon this article more largely, than the present occasion might require of itself.

[a] Dr. Middleton’s Prefatory Disc. p. 77, 78.

IT is then in the first place indisputable, that while the *Roman* Generals raised their Legions in *Rome* or other parts of *Italy*, as they did for several hundred years, they denominated them *numerally* according to the order (not in which *they* had raised them themselves, but) in which every new Legion stood on each Levy to *all* those before them. So that for instance, if *six* Legions were already subsisting in any year, and six more of fresh Troops were to be added, the latter six, though *three* of them were raised by *one* Consul, and *three* by *another*, would not be called according to each Consul's enrollment first, second, third, but as the number of Legions in the *whole* stood before the succeeding, either *seventh*, or *eighth*, or *ninth*, and so on to the *twelfth*. The *common* number of *Roman* Legions in the service of the Republic till the first *Punic* War, was only *four*, as *Polybius* assures us expressly [*b*], and these were very often raised all at once upon sudden exigencies of State, as may be seen in varieties of instances, from the *second* to the *tenth* Book of *Livy* [*c*]. And the *numeral* characters of all those Legions were given constantly according to the order of their enrollment, *first*, *second*, *third*, *fourth*, &c. as the same antient writers inform us [*d*]. A particular, which I mention as a certain argument to prove, that whenever in *extraordinary* cases more Legions than *four* were raised within the same early times, the

[*b*] Polyb. l. i. c. 16. l. vi. c. 25. l. viii. c. 6.
c. 17. [*d*] Polyb. ib. Liv. l. x. c.
[*c*] Liv. l. ii. c. 30, 41, 57. 18.
l. iv. c. 26, 53. l. vi. c. 22. l. vii.

like

like method of *numbering* would be doubtless observed in the several *Additions* to the ordinary Forces. So that when in those two memorable years *A. U.* 260 and *A. U.* 406, *ten* Legions are said to have been raised [*e*] in *Rome* and the adjacent parts, we must suppose the *numeral* characters of *them* to run as far as *ten*, like the numerals of the common *four* Legions: It being chimerical to suppose, that the *usual* method of numbering the latter should not likewise obtain respectively in the other cases. Accordingly *Dio Cassius* speaking of a *tenth* Legion under *Jul. Cæsar*, observes it to be the old way among the *Romans* thus to [*f*] name the *πολιτικὰ στρατόπεδα* (*the Troops made up of Romans*) according to the order of the general military Catalogues. And this, I imagine, is a truth, which *Dr. M.* himself does not question, since he seems to lay all the stress of his argument on Legions raised occasionally by the Generals in *distant Parts of the Empire*. However if the constant practice was that which I have shewn above, in parts *near* the Capital, it will surely (till very clear evidence is produced to the contrary) be ground for a strong presumption of the same in *remoter* Provinces; especially while the Generals were *dependent* on the Senate, and *accountable* to it for all the Forces under them, and when those very Forces were registred at *Rome*, as the Forces of the State, not the property of any Commander.

[*e*] Liv. l. ii. c. 30. l. vii. c. 25.

[*f*] Εξαίρετον — τὸ δέκατον
στράτευμα — ἔτω δὲ δὴ τὰ πο-

λιτικὰ στρατόπεδα πρὸς τὴν τῶν
καταλόγων τάξιν ὀνομαζέσθαι. Dio.
l. xxxviii. p. 90. Ed. Hanov.

BUT not to rest in mere presumptions, I will now in the next place shew in fact, that the conduct of Generals was perfectly suitable hereto even in *distant* Provinces. *Julius Cæsar*, we know, had the whole Province of *Gaul* under his care by a regular authority for many years, from *A. U.* 695 to *A. U.* 704, when the Civil Wars broke out between him and *Pompey*. Now we find by his own account, in *A. U.* 697 that his whole strength then in *Roman* Legions amounted only to *eight* [g]. And if from hence we look back to his entrance on the *Gallic* war, we may see how he came by those Legions gradually, and on farther enquiry how *all* his Legions both now and afterwards were *denominated*. We may therefore observe from his own relations, that to this time (*A. U.* 697.) from the commencement of that war, he had raised for himself *two new* Legions in *Italy*, and *two* in *Gaul* [b], which together with *three* that he took out of winter-quarters about *Aquileia*, and *one* which he found in *Gaul* [i] at his first coming thither, made up in all the number of Legions above-mentioned. And this continued still to be his number, without any new supplement till *A. U.* 700, when he added *one* more of his own raising from *Italy* [k]; and the next year upon some considerable losses of men, he received at his request an addition of *two* more from *Pompey*, with a

[g] *Caes. Bell. Gall. l. ii. c. 8, 19.* [i] *Id. ib. l. i. c. 7, 8, 10.*
[b] *Caes. ibid. l. i. c. 10. l. ii. c. i. ib.* [k] *Id. ib. l. v. c. 24. Conf.*
c. 2.

third which his *Legates* had procured in *Italy* [1]. All which with the other made up at last *twelve* Legions, and besides these we read, I think, of no more under *Cæsar's* command, till he had marched into the heart of *Italy* against the *Pompeians*. Let us then in the next place trace out, if we can, the *numeral* characters of all these Legions both *new* and *veteran*, to see whether any of them will comport with the Doctor's Hypothesis. Now by his rule or principle the two *new* Legions, which *Cæsar* about *A. U.* 697 had raised for himself in *Gaul*, a *distant* part of the Empire, should have had their *names* according to the order in which he enrolled them, *without regard to any other Legions whatsoever*; and consequently should have been styled *prima* and *secunda*, these being the *first* and the *only* Legions which he raised in *distant* parts. Or at least, if they were raised after his two *new* Legions from *Italy*, these last must have born those characters, and the other be denominated, *tertia* and *quarta*. But in fact the case was very much otherwise. For in all the *twelve* at this time, *Cæsar* had not one Legion with the names of *secunda* and *quarta*, and the only *prima* and *tertia* among them were the Legions which *Pompey* sent to him out of *Italy*. So that here is plain direct evidence against the Doctor, and that even from the *General* himself and his Officers together. For it is He who tells us, that the Legions which *Pompey* sent to him, and which were afterwards demanded back from him by order of the Senate, were called the

[1] *Caes. ib. l. vi. c. i.*

first and *third* [*m*], if his Text be right, as all the known Manuscripts of it represent the passage. Or if, to reconcile him with *Lucan*, you would read the *first* and the *fourth*, then *Cæsar* must be said to have had no *tertia* as well as *secunda*, for the reasons following; because he tells us likewise in several places the names of *eight* more of his Legions, which were the *seventh*, *eighth*, *ninth*, *tenth*, *eleventh*, *twelfth*, *thirteenth*, and *fourteenth* [*n*]. To all which the Continuator of *Cæsar*, who was one of his Officers, adds a *sixth* and a *fifteenth* [*o*], which together with the rest compleat his whole number, *twelve*. As to the particular names of each new Legion, raised by *Cæsar* in *Gaul* or *Italy*, we have not intelligence enough to determine that precisely, but we may be pretty sure, what names they had *not*, (which for our purpose is sufficient) it being evident that as they could not be a *first*, *second*, *third*, or *fourth* for the reasons above, so neither could they come under the names of the *sixth*, *seventh*, *eighth*, *ninth*, or *tenth*, because these appear to have been all *veterans* [*p*]; and

[*m*] Caes. Bell. Civ. l. iii. c. 8. So the MSS. of *Cæsar* hitherto collated represent that passage uniformly in words at length. Though indeed from *Lucan's quartâ legione* l. vii. ver. 219. one might suspect that the numeral IIII was originally in *Cæsar*, and afterwards became changed into III, unless *Lucan* can be rather supposed to mistake the Legion, which is not improbable. There is also a

farther corruption in the name of this Legion in Bell. Gall. l. viii. c. 54. where consult M. Oudendorp's late Edition.

[*n*] Caes. Bell. Gall. l. i c. 40. l. ii. c. 23. l. v. c. 53. l. vi. c. 32.

[*o*] Auth. Bell. Gall. l. viii. c. 4, 54.

[*p*] See Caes. Bell. Gall. l. i. c. 40, 41. l. viii. c. 4, 8. Conf. Bell. Alexand. c. 33, 69. Ciceron. Fam. Ep. l. xi. 11.

E e 2 consequently

consequently the *subsequent* numerals only could belong to the *new* Legions, viz. the numbers XI, XII, XIII, XIV, XV, which are so many plain demonstrations against Dr. M. inasmuch as these numbers could not but *regard the numerals of other Legions*, a thing so incredible and so contrary to *fact* in his opinion.

BUT these are not the only evidences against him; for in the year of the city 704 or 705 *Cæsar* raised some new Legions, (called for some time after in his Commentaries *Legiones Tironum* [q]) the number of which did at most not exceed *three*, and yet one of them had the name of *twenty-seventh*, as we learn from *Cæsar* himself [r]. Now whence, I would know, came this *numeral* Character to that Legion? It could neither respect the Order in his *new* Levies, nor the number total of *all* his Legions, since the former did certainly then not amount to more than *three* Legions, and the latter in the whole not to more than *fifteen* [s]. And if the number *twenty-seven* on that Legion could not respect *Cæsar's* Forces in either of those views, it could respect them in no other that I know of, and must needs regard some other Legions, which were then subsisting or had subsisted with other Generals. And indeed on no other supposition can we rationally account for the *high* numbers on several particular Legions, such as even a *thirty-sixth* and

[q] See *Caes. Bell. Civ. l. i. ptima. Caes. ibid. l. iii. c. 34. c. 25. Bell. Alex. c. 42.* [s] See *Caes. Bell. Civ. l.*

[r] *Cum legione tironum, iii. c. 2, quae appellabatur vigesima se-*

thirty seventh mentioned by *Hirtius* [t], and *forty* on another in an old Inscription under *Augustus* or *Tiberius*, produced by *Fabretti* [u]: whereas on the other side, in *later* times after *duplicate* Numerals upon Legions were much in use, we find no such high Numbers on particular Legions as appeared in the earlier times, which from hence may be easily accounted for.

THE like may be also observed of two other Legions, raised the same year by *Cæsar's* orders in *Italy*, and which he sent with *Cassius Longinus* into *Spain*. The names of these were *twenty-first* and *thirtieth*, which no doubt had the same sort of *reference* with those above.

THUS we see then in fact, how different the practice among *Roman* Generals was from that which *Dr. M.* so roundly ascribes to them. However to confirm his opinion, he produces some authorities of figure, which must be examined. The first are taken from *antient Inscriptions*, upon which he “ has observed *two distinct* Legions called at “ the same time the *fourth*, viz. the fourth *Scythian* and the fourth *Flavian*; and in *Gruter's* “ Collection we may find *six* or *seven* more under “ the same denomination — as *III Cyrenaica*, “ *Gallica*, *Italica*, *Sorana*, in *Hispania*, &c. [x].” These observations are really very true, and if he pleases may be carried still farther to the curious Collections by *Reinesius*, and *Spon*, and *Fabretti*,

[t] Hirt. Bell. Alex. cap. 9,
34.

[u] Fabrett. Inscr. Ant. p. 619.
[x] Prefat. Dis. p. 78.

and especially to the noble ones of late years from *Florence* by the learned *Gorius*; where many other duplicate numerals of Legions may be seen. But it happens, that all such examples are quite foreign to the point, because they are all of too *modern* date to affect this dispute; not one instance of *this* sort being here alledged by Dr. *M.* where either the *Title* of the Legion or the very *Inscription* which mentions it does not manifestly appear of a recent date, compared with the Times of *Brutus*. Thus the *fourth Scythica* could neither have its *station* in *Scythia*, nor its *name* from thence, till the *Scythians* were routed and quelled by the *Roman* arms, which did not happen in *any degree* before *A. U. 734* under *Augustus*, as the learned Mr. *Masson* has shewn very clearly [*y*]; and even then *Augustus* effected nothing more against the *Scythians*, than to drive them to the farther side of the *Danube*, and was glad to keep them quiet and friendly there by *gentle* usage [*z*]. So that in *Scythia* itself no Legion was ever placed by that Emperor, and supposing it might take that character, from being stationed on the hither side of the *Danube* as a fence against the *Scythians* on the other, yet how does it appear, there was another *fourth* Legion subsisting elsewhere at the same time? We hear of nothing like it in history; and as to *Inscriptions* to its memory, the oldest which mentions it I be-

[*y*] *Masson. Vit. Horat. p.*
280, seq.

Conf. ejusd. *Vit. Ovid. ad*
An. Urb. 763.

Jani Templ. Refer. p. 133
—140.

[*z*] *Sueton. August. c. 21.*

lieve is that which *Gorius* [a] has produced, and which was plainly cut under *Claudius*. As to the *fourth*, *Flavia*, it is well known, that it derived that appellation from the Emperor *Vespasian*, as *Dio* expressly informs us [b]. The *fourth* *Cyrenaica* the Doctor took implicitly, I imagine, from the general Index to *Gruter*, without observing by the marginal note to the Inscription itself, that this reading (III) was doubtful [c], instead of *third* (III) since the former I believe appears no where else, and may be justly suspected of non-entity. Again, the *fourth* *Gallica* in *Gruter* is declared likewise by the single Inscription on which it stands to have served under *Hadrian* [d], a Commander in it *Claudius Priscus* (to whose memory the monument was erected) being said to have received great honours from that Emperor in his *Jewish Expedition*. So likewise we learn of the *fourth* *Italica*, in the same Collection [e], that a *Tribune* of it was a son of the Consul *Frontinus*, who could be no other than he who flourished under *Trajan* [f]. As to the *fourth* *Sorana*, the only mention of that is in a transcript from one Inscription [g], which transcript the mar-

[a] Gor. Inscr. Ant. Flor. p. 248. 1726.

LEG. III SCYTHIC.—
PROC. TI. CLAVDI. CAESARIS AV....

[b] Dio. l. 55. p. 564.

[c] See Gruter. Inscr. p. 557. n. 6. Ed. Burm.

Dio, referred to above, is quite silent as to a *fourth* Cy-

renaica, though he gives us professedly a catalogue of ancient Legions.

[d] Gruter. Inscr. p. 493. n. 1.

[e] Gruter. ib. p. 389. n. 6.

[f] See Joan. Poleni Prolegom. in Frontin. De Aquaeduct. p. 6. seq. Ed. 1722.

[g] Gruter. ib. p. 409. n. 9.

ginal note suggests to be taken inaccurately; and we have no other mark of the Legion's age, than that it set up the stone in honour of a *L. Firmius*, who was made the *first Pontifex* [b], in the *Colony* settled at *Sora*. From whence we may guess, that the Legion itself was formed out of that *Colony*, and thus came by the name of *Sorana*; but how long after the settlement of that *Colony* by *Augustus* [c], this *Firmius* was created a *Pontifex*, and how long after that this honour was paid to him by the Legion, we are quite in the dark; only thus much, I think, we may be sure of, that the Legion of this name was much later than *Augustus*, the Founder of the *Colony*.

THE last *fourth* Legion which the Doctor has cited by name from *Gruter*, is that in *Hispania*; and this must occasion a smile, when it is evident that the words *in Hispania* were no formal title of the Legion, but are used in the Inscription by a woman of her husband, merely to express *where* he served as a *Tribune* of the *fourth* Legion. VIRO. SVO. Ego, TRIB. MIL. IN. HISPANIA. LEG. IIII. A. V. [d] with just the same meaning as in the former part of the same Inscription, where she speaks likewise of a *Brother* who had been also a *Tribune* of the *twenty-second* Legion at *Alexandria*. FR. SVO TR. MIL. ALEXANDRE. AD. AEGYPT. LEG. XXII. From whence no

[b] Of these *Pontifices* in the Colonies, see *Nepi. Genosaph. Pisan.* Diss. i. c. 6.

[c] See *Frontin.* De Colon.

p. 107, 140. Ed. Goef.

Justin. Fontanin. Antiquitat. Hortae, l. i. c. 2.

[d] *Gruter.* ib. p. 525.

one, I suppose, would give the *twenty-second* Legion the title of *Alexandriae ad Aegyptum*. But in the Index to *Gruter* stands IIII A. V. IN *Hispaniâ*, and the Doctor seeing that in a hurry was thence probably misled into such a mistake. As to the Letters A. V. subjoined above to the number IIII they stand, no doubt, for *Augusta. Victrix*. and that the Legion gained this title after *Dio's* time we may take for granted from his *Silence* concerning it in the passage above-cited.

WITH respect to the *etc.* which is formally annexed by Dr. M. to the Legions preceding, it might seem indeed to be big with Contents, or at least to comprehend some considerables under it, but the sum total under it is only *one* Legion more, called *Gemina Martia Victrix*, and this appears contemporary to the *fourth Gallica* mentioned above, being expressed in the same Inscription with it, and equally in the service of *Hadrian* [l]. There is indeed in *Gruter* another *fourth* Legion with the title of FLAVIES (for FLAVIAE, a common error upon antient stones) FELICIS [m], which may seem from the last word in it to be a distinct one from all the rest; but it is doubtless the same with the other *fourth Flavia*, only now with a fresh accession of a new title *Felix*, upon some good fortune afterwards in the Field; and accordingly it appears with this title on two other Inscriptions, both of the same year and to the same men [n], with a date from

[l] See *Gruter*. p. 493. n. 1.

[n] *Ib.* p. 445. n. 9, 10.

[m] *Ib.* p. 543. n. 3.

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the Consuls upon one [o], which fixes them to *A. D.* 137, the last year of the Emperor *Hadrian*. So that all these authorities of the Doctor's prove at last but of little consequence to the point before us.

NEITHER is there more real significancy in the legend of a *Column*, which Dr. *M.* alledges from the area of the Capitol [p]; it being plain at first sight, that the Column with its legend is of no higher age than the stones already considered. For, *first*, it could not be thus erected and inscribed before *Trajan's* time, because *two* of the Legions there exhibited had their names (as all know) from that Emperor, *viz.* the *thirtieth Ulpia*, and the *second Trajana*. And, *secondly*, it could not even precede the much later reign of *Septimius Severus*, who came to the throne about *A. D.* 193. For here stand the I, II, and III [q] *Parthic* Legions, which *Dio*, who lived in *Severus's* time, tells us clearly were first established by that very Emperor [r]. So that all which this Column proves, is the practice of *those* times, not that of *Cicero's* or *Brutus's* age. However I have so much regard for that Column, as to wish that Dr. *M.* had examined and represented it with

[o] POSITA. VI. I. IVL.
L. AELIO. CAESARE II
P. CAELIO. BALBINO. COS.
Conf. Pagi Critic. in Baron.
Tom. 1. ad *A. D.* 137.

[p] Prefat. Disc. p. 79. not.

[q] It will be shewn below
why instead of XIII in the

Doctor's copy of the Column
I take the number III.

[r] Σεουήρος τὰ Παρθικά (στρα-
τόπεδα συνέταξεν) τό, τε πρῶτον,
καὶ τὸ τρίτον τὸ ἐν Μεσοποταμίᾳ,
καὶ τὸ διὰ μέσης τὸ δεύτερον τὸ ἐν
τῇ Ἰταλίᾳ. Dio. l. 55. p. 564.

a little

a little more accuracy. For unless the great *Boissard* and *Gruter* were greatly mistaken concerning it, which I can hardly believe, the stone has III *Parthica* instead of the Doctor's XIII, and has one more Legion upon it immediately preceding this last, viz. III *Italica* [s], which is wholly left out in the Doctor's transcript. But thus it happened likewise in the copy, which *Lipsius* had given of this stone in his notes [t] upon *Tacitus*; and though he differs from Dr. M. with the other two Antiquaries in the III *Parthica*, yet I guess that he was the man whom the Doctor followed in this article, without consulting the stone itself, though he had once an opportunity of doing it. For they both agree in dropping the III *Italica*, and moreover, whereas the Column, as *Boissard* and *Gruter* represent it, has the names of all the Legions abbreviated, those names are all at full length, and exactly the same in Dr. M. and *Lipsius*, and equally wrong in both as to one or two explanations. For where we read in them *Apollinea*, the stone has only APOL. which stands most certainly for *Apollinaris*, as we find it at length in several Inscriptions of this very Legion [u]. And again, where they give us *Gallicana*, the Column has only GAL-LIC. which stands for *Gallica* simply, as it often occurs [x], while the other hardly ever appears in such antient monuments.

[s] See *Boissard. Antiq. Part.*
3. p. 102.
Gruter. Inscr. p. 513.
[t] See *Lips. ad Tacit. Hist.*
1. 2. c. 43.

[u] See *Gruter, p. 31, 434,*
513, 550, 557, 571.
[x] See *ib. p. 454, 487,*
499, 513, 572, 493, 455, 643.

BUT

BUT now to return from this digression. Dr. M. in the last place introduces *Dio Cassius* in his favour, “ who, he says, in a catalogue of all the
 “ *veteran* Legions, which had been kept up to his
 “ time from the reign of *Augustus*, reckons three,
 “ which were each severally called, in different
 “ parts of the Empire, by the name of the *third*
 “ Legion; one in *Phœnicia*, one in *Arabia*, and
 “ one in *Numidia*; two others also called the
 “ *sixth*, one in *Britain* and one in *Judæa*; and in
 “ the same manner the *seventh*, *eighth*, and *tenth*
 “ appear likewise to have been *duplicates* [y].”
 Now in the first place I am something at a loss for the propriety (in point of language) of saying that *veteran* Legions were kept up from the reign of *Augustus* to *Dio*’s time, when the distance between the two men was not less than two hundred years. For a *veteran* Legion is strictly no other than a Legion of *veterans* or of *old* experienced soldiers, and the only way, in my apprehension, of keeping up such *veterans* is by keeping the men *alive* and in *pay*, which could not be done, we are sure, with the same men for two hundred years together; and if *fresh recruits* would be necessary often to keep up the very name of the *Legion*, it could not be *veteran* all along through such a course of years, nor called so without a very bold figure of speech, such as *Dio* himself would not venture to use; and therefore he has not once used it in this extraordinary account. In the second place, the Doctor

[y] Pref. Disc. p. 79. Dio. l. lv. p. 564.

by an Oversight has made *duplicates* of *two* Legions, which are evidently *single* in *Dio's* text. For *Dio* himself, as to the *seventh* and *eighth* Legions, reckons only *one* of each, though he speaks in the *plural* form of the *οἱ ἑβδομοὶ* and *οἱ ὀγδοοὶ*, the *sevenths* and *eighths*; which terms refer plainly to *σεβήσωται* the *soldiers*, not directly to *σεβήσονται*, his word for *Legions*. And to prove this indisputably, if you take these Legions as *duplicates*, you will make the whole number of *Dio's Augustan* Legions *two* more than he intended, even *twenty-one* instead of *nineteen*, as may easily be found by casting up the whole account. So that the only *duplicate* Legions we are really concerned with, are the *two sixths*, the *two tenths*, and the *three thirds*. And truly if *Dio* must be necessarily understood to say, that all these duplicates were actually subsisting together from *Augustus* downwards at one and the same time, I must take the liberty to question the truth of his relation, though I know a good way to account for it, so as still to render it consistent with all my Positions above [z]. But I say, if that be the certain meaning of *Dio*, I very much question the truth of it, because I find it to be irreconcilable with another *Historian*, who was a whole century nearer to *Augustus*, was himself both a *Soldier* and a *Consul* of great repute, a man also inquisitive and learned, and remarkably skilled both in the *civil* and *military* affairs of the Empire in the ages before him. The Writer I

[z] See above, p. 414.

mean is *Tacitus*, who appears to be particularly curious in these matters, and therefore thought it of consequence to inform us, what *number* of *Roman* Legions were subsisting, and *where* they were severally *stationed*, upon the plan of *Augustus*, in the first years of *Tiberius*. Accordingly we learn from him [a], that *eight* Legions were placed on the *Rhine* as a guard both to *Germany* and the *Gauls*, *three* in *Spain*, *two* in *Africa*, *two* in *Egypt*, *four* in *Syria*, *two* in *Pannonia*, *two* in *Mæsia*, and *two* in *Dalmatia*, besides the *Prætorian* Cohorts in the *City* itself; all which Legions amount in the whole to *twenty-five*, the very number which *Dio* says was, according to some writers, *kept up* by *Augustus*, in the latter part of his reign, when he had settled the army on a new establishment, about *A.U.* 758 [b], nine years before his death. Now indeed in the passage above cited, *Tacitus* does not mention any particular names of those *twenty-five* Legions; but in other places of his *Annals* and *History* he speaks often of many occasionally from *one* to *twenty-one* or *twenty-two*, and yet from beginning to end never gives the least intimation of such *duplicate Augustean* Legions, and at the same time does mention other *duplicates* [c] of *later* times

[a] Tacit. Annal. l. iv. c. 4, 5. *prima Italica*. Hist. l. i. c. 6, 31, 59, 64. l. ii. c. 11, 22, 41, 43.
 [b] See Dio. l. lv. p. 563. Sueton. August. c. 49. *Legio septima Claudiana*, *Legio septima Galbiana*. Hist. l. ii. c. 67, 85, 86. l. iii. c. 7, 9.
 [c] Thus he speaks of *Legio prima Adjutrix* and *Legio*

from

from the reign of *Galba*. Is not this very strange and unaccountable, when by *Dio's* account (as the Doctor interprets him) there subsisted all along throughout the period of which *Tacitus* writes, no less than *three third* Legions, *two sixths*, and *two tenths*, of *Augustean* original? For my part I think it to be *morally* impossible, or at least incredible, that if any such had really subsisted in the times he speaks of, so knowing a man, and so accurate a writer as *Tacitus* should either be ignorant of them, or if not ignorant should omit expressing occasionally such material distinctions of the Legions, when such an omission would render his accounts of things confused and obscure, and be indeed an inexcusable blemish to his work. And yet it is visible to all that read him, that as to the duplicates in *Dio*, he drops not a syllable of them from *Tiberius* to *Vespasian*, with whom he ends, using every where in his *Annals*, which end in *Nero*, the plain general terms of *legio tertia*, *sexta*, and *decuma* [*d*], without any explication, and in his *History* beginning with *Galba*, adding only to the *sixth* or *tenth* a small mark of distinction, then *recently* introduced, of *Hispanica* [*e*], or *accita ex Hispaniâ*, which had no relation to *Augustus*, nor

- | | |
|---|---|
| [<i>d</i>] Of the <i>third</i> , see Annal. | Of the <i>tenth</i> , Ann. l. ii. c. |
| l. xiii. c. 40. l. xv. c. 6, 26. | 57. l. xiv. c. 6. |
| Hist. l. i. c. 79. l. ii. c. 74, | [<i>e</i>] Of the <i>sixth</i> , Hist. l. iv. |
| 85, 96. l. iii. c. 10, 24. l. iv. | c. 68. cum l. iii. c. 44. |
| c. 3, 39. | Of the <i>tenth</i> , Hist. l. ii. c. |
| Of the <i>sixth</i> , Annal. l. ii. c. | 58. l. iii. c. 44. l. iv. c. 76. |
| 79, 81. l. xiii. c. 40. l. xv. | l. v. c. 19, 20. |
| c. 6. | |

perhaps

perhaps any respect to *another* Legion of the same number. This being the case I should rather suppose *Dio* to be *misunderstood* than egregiously *mistaken* in the point, or to clash thus excessively with *Tacitus*; especially as I could shew, that such has been his fate, to be sadly misinterpreted, in many other instances besides the present: And what I take him to mean, and what all his expressions will easily bear, amounts to no more than this, that all the *remains* of the Legions, which had been kept up from *Augustus*, were in *his* time in those *nineteen* Legions only, of which he gives us a list, *viz.* in the *second Augusta*, the *thirds*, *Gallica*, *Cyrenaica*, *Augusta*, the *fourth Scythica*, the *fifth Macedonica*, the *two sixths* called the *Vitrix* and *Ferrea*, the *seventh Claudiana*, the *eighth Augusta*, the *two tenths*, *Gemina* and another in *Judaea*, the *eleventh Claudiana*, the *twelfth Fulminatrix*, the *thirteenth Gemina*, the *fourteenth Gemina*, the *fifteenth Apollinaris*, and the *two twentieths Valeriana* and *Vitrix*, all which together made up the number *nineteen*. Not that so many *thirds*, or *sixths*, or *tenths*, or *twentieths* were formed by *Augustus* himself, and transmitted to his Successors, but that these which were *duplicates* in *Dio's* time, and had been made so by the act of some *late* Emperors, preserved the only remains of those Legions, which by continual supplements had been standing from the time of *Augustus*, and which also in former days had been *single* Legions with one *numeral* character to each. And the manner in which those which were once *single* Legions, became afterwards *duplicates*, we
may

may suppose to be this; that in process of time, by many various accidents, several *Augustean* Legions became totally *extinct*, as we find here by *Dio* was the case of the *first*, *ninth*, *sixteenth*, *seventeenth*, *eighteenth*, *nineteenth*, in his days, (which yet were most of them, if not all, as entire as any other in the days of *Tacitus* [e]) and when such was the case, the subsequent Emperors well knowing the extraordinary value of such Legions, (who no doubt from the sense of their high original in *Augustus* were fired with a supereminent spirit of honour and valour) were willing to make themselves amends for the loss of some by, as it were, *multiplying* the others which were remaining. And this was to be done by dividing the soldiers of *one* such Legion into *two* or *three* parts, each of which should be the *stamen*, as it were, of a distinct Legion, still bearing in *common* the same old *numeral* characters, and communicating each to the *fresh* men, who were to fill up the *Legionary* complement, that peculiar pride and prowess, which so often had done eminent service to the State. And that such was the *late* rise or occasion of the

[e] This very difference between the times *before Tacitus*, and those *after* him, confirms very much my account of the duplicates in *Dio*, and indeed directs us to it when attentively considered. See *Tacitus* of the old *first* Leg. Annal. l. i. c. 31, 37, 44. Hist. l. i. c. 55. l. iv. c. 19, 25, 62, 72.

Of the *ninth* Leg. Annal. l. iv. c. 23. l. 14. c. 32, 38. Hist. l. iii. c. 22.

Of the *sixteenth*, Ann. l. i. c. 37. Hist. l. i. c. 55. l. iii. c. 22.

Of the *eighteenth*, Hist. l. i. c. 18, 55. l. iii. 22.

Of the *nineteenth*, Ann. l. i. c. 31. Hist. l. i. c. 60.

F f

duplicates

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duplicates mentioned by *Dio*, and that all of them came up after *Tacitus* wrote, we may farther collect from hence, that otherwise these duplicates, with the several other Legions mentioned by *Tacitus* as serving at the same time, would in the whole have exceeded considerably the number of *twenty-five* Legions, which were the most, as both *Dio* and *Tacitus* testify, that were ever kept up from the last ten years of *Augustus* to at least the death of *Domitian*. So that all things considered, *Dio Cassius* will at last afford very slender assistance to Dr. *M*'s hypothesis.

I shall only add now, to conclude the whole, a remarkable testimony of our side from antient coins. *Vaillant*, with *Morellius*, and *Ezechiël Spanheim*, improving on *Ursinus*'s collections, has produced to us a series of *twenty-four* coins of *Antony* while *Triumvir*, with the names on the reverse of so many Legions in their numeral order from *one* to *twenty-four*, as LEG. PRI. LEG. II. LEG. III. [f] &c. And in all these no *duplicates* are so much as intimated of the *third*, *fourth*, *sixth*, *tenth*, or any other in the whole series. Which may serve as a good collateral argument to shew us, that as yet no *duplicates* of that sort were known in the Empire. Indeed *M. Vaillant* and some others in illustrating these coins have dropped expressions, which in

[f] See *Vaillant*. Fam. Rom. Tom. II. p. 231, 232.
 p. 116, seq. Vol. I. Conf. *Ursin*. Fam. Rom. p.
Morell. Num. Consul. Vol. 24, seq.
 I. Tab. Ant. 7, 8, 9, 10. Vol. *Patin*. Fam. Rom. v. Ant.
 II. p. 28. Ed. Haverc. *Harduin*. Hist. Aug. p. 695.
Ex. Spanb. Uf. Numism. Fol.

Some degree favour Dr. M's notion. But they were founded on nothing else but a gross misinterpretation of the passage of *Dio* above-cited, with two or three others in *Appian*, and five old coins with the names of *Leg. Prim. Antiquae*. *Leg. XII. Antiquae*. *Leg. XVII. Classicae*. *Leg. XVIII. Libycae*, and *Leg. XX. Hispanicae*; to explain which Legends sufficiently, and those passages of *Appian* above-hinted, in opposition to many various misconstructions, would require another Letter like this in size, which must be spared at present, how defective soever this may seem without it.

ERRATA.

<i>Page</i>	<i>Line</i>	<i>for</i>	<i>read</i>
82	[o] 6	Higher	Hither
98	10	do the same to Cicero,	blame Cicero's composition,
355	[f] 16	his facts,	by his facts,
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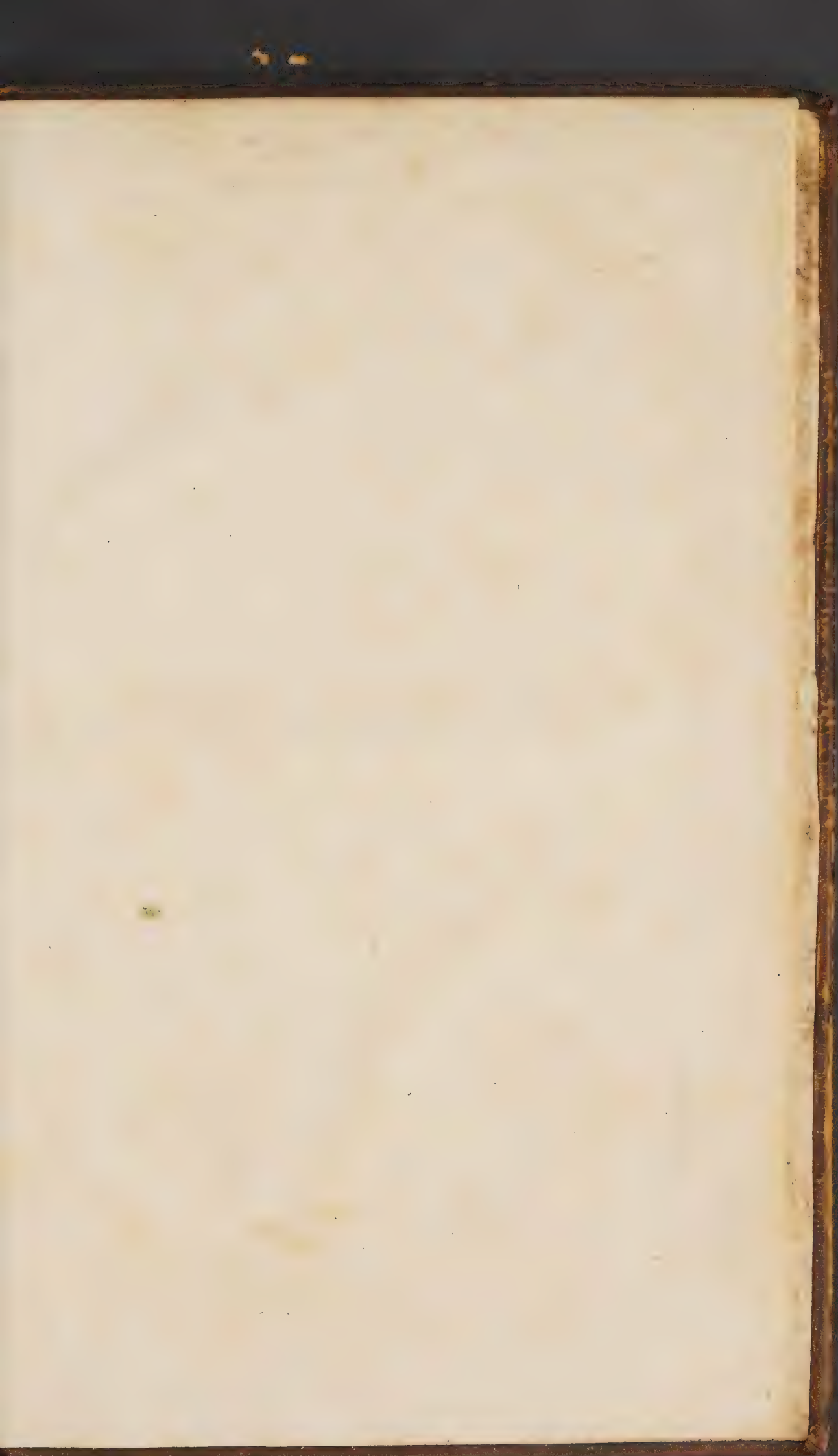
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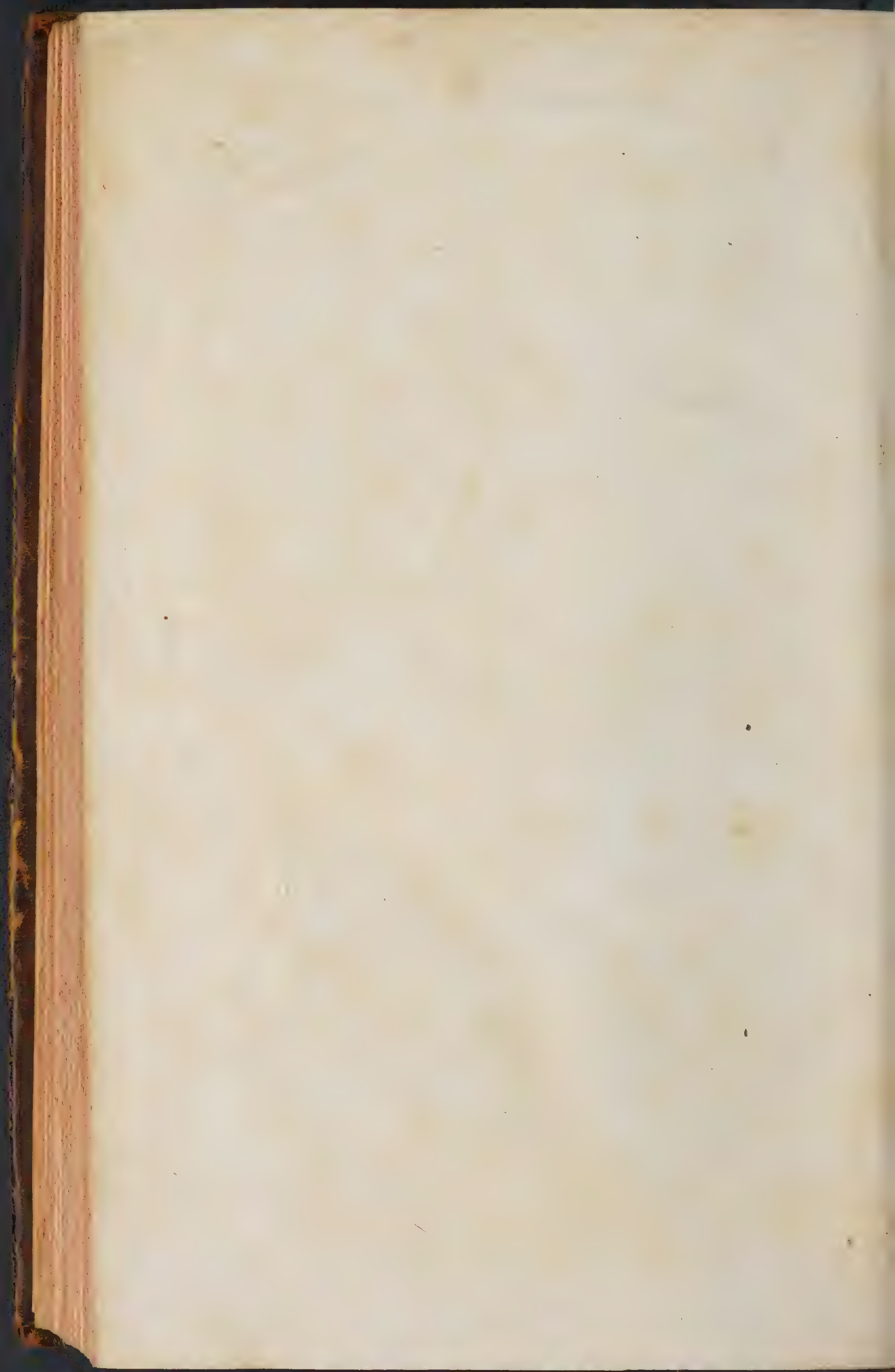
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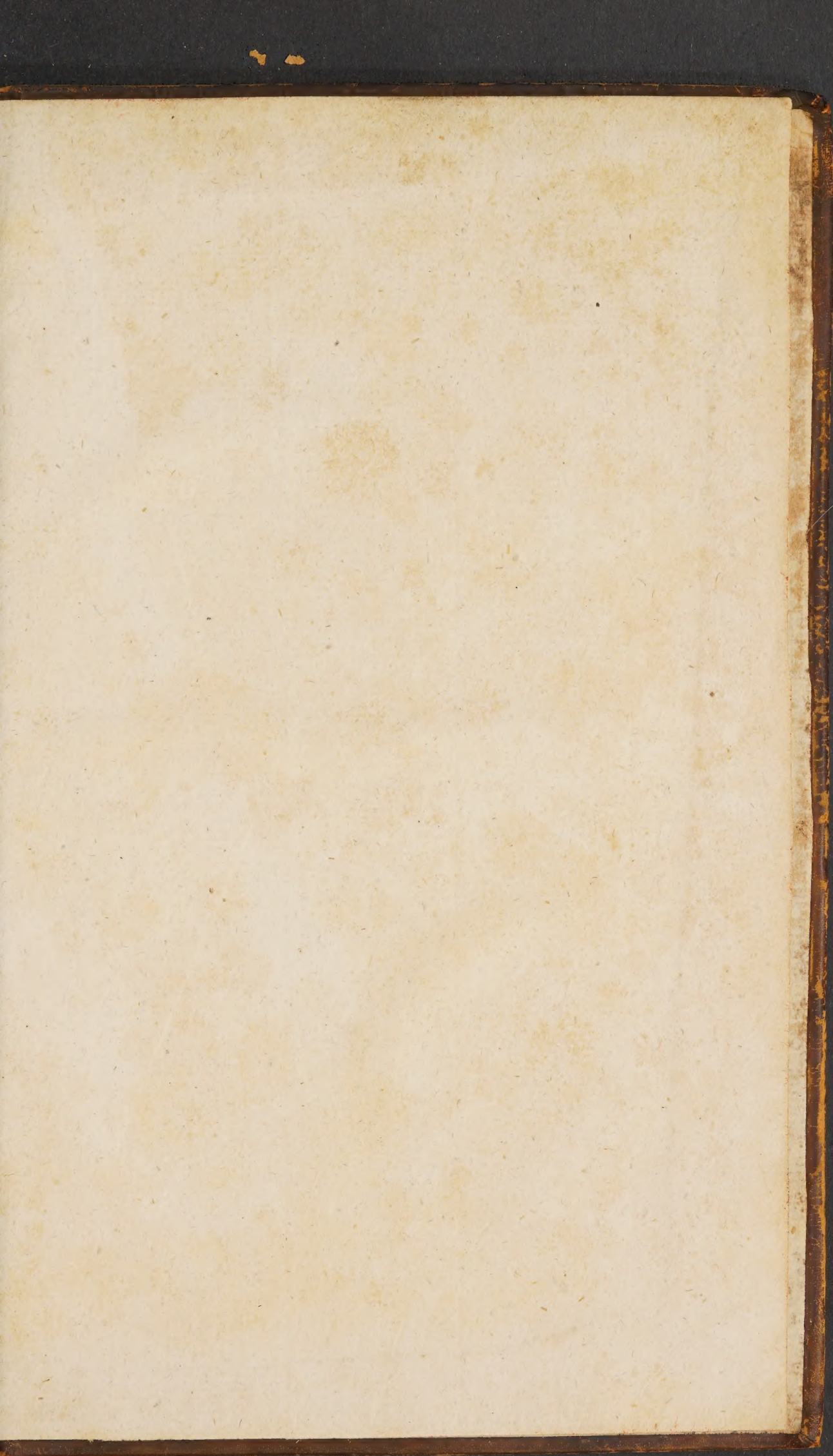
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